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THE  
HISTORY OF CANADA,

FROM ITS  
FIRST DISCOVERY TO THE PRESENT TIME.

BY  
JOHN MACMULLEN, ESQ.,  
AUTHOR OF "THE CAMP AND BARRACK ROOM," ETC.

*SECOND EDITION, REVISED AND IMPROVED.*

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## P R E F A C E.

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THE present condition of Canada points to a future national greatness of no ordinary magnitude. Her inland seas and noble rivers have already become the highways of a vast and rapidly-increasing commerce ; and the morning voice of a new nation resounds over a scene as varied as it is beautiful. In the foreground stand the populous cities and flourishing towns, which stud the margins of her rivers and the shores of her lakes ; in the perspective, repose the free and happy homes of her rural population. The farmer is the owner, in fee-simple, of the soil he tills, and rejoices in an independence of the most sturdy and complete character. In the various industrial professions, enterprise, economy, and prudence rarely fail to secure success, while in numberless instances they have been the avenues to wealth. This country abounds with merchants and manufacturers who have been eminently successful ; and every-day experience presents to our notice mechanics that have won their way to positions alike well-merited and honourable.

The present of Canada supplies a kaleidoscope, brilliant with promise, through which we may gaze at the future. The philanthropist discerns all the essentials of the highest con-

dition of social happiness ; the patriot, the solid basis of national prosperity. There are, it is true, the difficulties arising from a diversity of race to be overcome ; but these have already been ameliorated by wise legislation, and now present no insuperable difficulties to united national progress. Past experience proves that identity of interests weakens the antagonism of races as well as of individuals, and gradually wears out their mutual prejudices and dislikes. The commercial and agricultural interests of all the Canadian people stand on the same basis, and produce similar political and social results.

In these respects we occupy a much better position than our relatives of the United States, aside from the additional advantage of a total freedom from oppressive taxation. There, despite the extinction of slavery, the interests of the South still array themselves in almost continual conflict with those of the North, while the West has separate and distinct interests of its own. There, also, germs of sectional strife and disunion continue to exist ; in Canada, on the contrary, the body politic presents an almost unruffled surface, and a comparative absence of injuriously opposing causes.

Thus happily circumstanced, a continued connexion with the mother-country is the true policy of the Canadian people. It involves no sacrifice of interests—no compromise injurious to our welfare—while it secures to us an independent national existence. Short-sighted, indeed, must that policy be which, possibly to insure some temporary benefit, would involve this country in the Maelstrom of American dissension, and crush it beneath the burden of American taxation. Let us rather, as a people, rest contented with our present happy condition ; watch calmly and sensibly the inevitable current of events, and be prepared, when the time comes, to take that position

as a nation which the keeping of the portals of the Great West, and our other advantages, entitle us to fill.

To infuse a spirit of Canadian nationality into the people generally—to mould the native-born citizen, the Scotch, the English, and the Irish emigrant into a compact whole, a purely Canadian literature, aside from that supplied by the public press, however excellent, is a most important element. A popular “History of Canada” is a step in this direction. To this task has the author devoted himself; and if he does not accomplish all that may be looked for, he will at least clear the way and lighten the toil of some more able writer in time to come, and meanwhile effect a modicum of national good, in directing public attention to a source of information and instruction too long neglected.

To enable us to judge accurately of the present, and regard our national future with confidence, a correct acquaintance with the past is an absolute necessity. To the great mass of the Canadian people such a study has hitherto been almost an impossibility, from the fact that what might be properly called a history of their country did not exist. The author designs to supply, as far as possible, this great want in Canadian literature, and faithfully to depict the past as an aid to illuminate the present, and as an index to the future. In carrying out this purpose he does not intend to restrict himself to a mere detail of political occurrences, and would also illustrate the social progress of the people.

It is true that many books have been published which supply detached portions of Canadian history, that several excellent statistical works have been compiled from time to time, and that much valuable information relative to this country may be gleaned from the writings of travellers and residents; but it is also equally true that these are not acces-



sible to the general reader. The author will endeavour to arrange methodically whatever of value is to be gleaned from those sources, and to present the people of Canada with a useful and impartial history of their country, from its discovery to the present time.

It need scarcely be said that the compilation of a work of this kind entails a large amount of physical and mental labour ; that its publication involves a large pecuniary risk. But the author neither shrinks from the one, nor desires to avoid the other, confident that a generous and enlightened public will sustain him in his enterprise, and receive with favour the first complete history of this magnificent heritage of the Canadian people.

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## INTRODUCTION.

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THE discovery of America revealed to the wondering gaze of civilised humanity a people in the rudest and most primitive condition.\* The annals of the Old World had no corresponding spectacle to present. Even the earliest philosophers of Greece and Rome have not left a single fact on record as evidence of an acquaintance with any portion of the human family in the primal stages of existence. In every region within the sphere of their observation society had already made considerable progress; and the several nations of their day had long before emerged from the social dimness and historical uncertainties which belong to a first condition. The Scythians and Germans, the barbarians of antiquity, were acquainted with the useful metals; possessed flocks and herds, and other property of various descriptions; and when compared with the aborigines of this continent, had already attained to a high degree of civilisation.

In some instances the red man appeared in the rudest state in which it is possible for our species to exist. Accompanied solely by his wife and children, he roamed, like a beast of prey, through the forests and over the savannas of South

\* In the New World the state of mankind was ruder and the aspect of nature extremely different. Throughout all its vast regions there were only two monarchies remarkable for extent of territory, or distinguished by any progress in improvement. The rest of this continent was possessed by small independent tribes, destitute of arts and industry, and neither capable to correct the defects nor desirous to meliorate the condition of that part of the earth allotted to them for their habitation. Countries occupied by such people were almost in the same state as if they had been without inhabitants.—*Rob. Amer.* vol. i. p. 126.



America, subjected to no restraints but those imposed by the imperious necessities of his condition, or the caprices of his own will ; and revelling in that primeval simplicity which, in the other continents, was known only by the imaginary descriptions of the poet.\* In other instances his wants were compelling him to seek a closer union with his fellow-man, and accordingly communities were beheld in the first process of formation. In Brazil, in Tierra Firme, and Paraguay, many of the ruder tribes were unacquainted with every description of cultivation. They neither sowed nor reaped ; and lived upon the spontaneous productions of the soil, the fruits and berries which they found in the woods, the products of their teeming rivers, and the lizards and other reptiles so numerous in those warm and prolific regions.

The Iroquois,† the Algonquins, the Hurons, and the other principal North American tribes, occupied a point in social progress as far in advance of these barbarous natives of the South as it was inferior to the condition of the Mexicans and Peruvians. They cultivated maize and a few vegetables, lived in villages, had made some progress in two or three of the more necessary arts of life, and recognised certain fixed principles of public policy in their intercourse with other tribes.

When Canada was first discovered by the French, the Algonquins and the Hurons‡ held chief sway within its limits. The territory of the former extended along both banks of the St Lawrence as high as Cornwall, and also embraced the district watered by the Lower Ottawa. They

\* Man, in some parts of America, appears in a form so rude that we can discover no effects of his activity, and the principle of understanding, which should direct it, seems hardly to be unfolded. Like all other animals, he has no fixed residence ; he has erected no habitation to shelter him from the inclemency of the weather ; he has taken no measures for securing certain subsistence ; he neither sows nor reaps ; but roams about as led in search of the plants and fruits which the earth brings forth in succession ; and in quest of game which he kills in the forest, or of the fish which he catches in the rivers.—*Rob. Amer.* vol. i. p. 152.

† The Iroquois or Five Nations occupied the greater part of the state of New York, and were the bitterest enemies of the French, as well as of the Canadian Indians.

‡ This tribe were frequently called Wyandots.

were a bold and warlike race, subsisting principally by the chase, for which the vast forests of the North afforded the most ample scope, and were reputed to be more advanced in their public policy and in general intelligence than any of the neighbouring tribes.\* The Hurons occupied the left bank of the Upper St Lawrence and the northern shore of Lake Ontario. Their close alliance, however, with the Algonquins, induced them frequently to establish themselves lower down the river; and in 1534 Cartier met with them at Anticosti and the Bay of Chaleur.† At Hochelaga he found them occupying a well-defended and populous village. Regarding the chase as a precarious mode of subsistence, they did not, like the Algonquins, disdain the cultivation of the soil, and partially devoted themselves to agricultural pursuits, from which, imperfect as their mode of tillage was, the fertile glebe and favourable climate of Western Canada usually enabled them to reap a most abundant return.‡ A few unimportant

\* Colden.

† When the tribes were all settled, the Wyandots were placed at the head. They lived in the interior, at the mountains east, about the St Lawrence. They were the first tribe of old, and had the first chieftainship. The chief said to their nephew, the Lenapees, Go down to the sea-coast and look, and if you see anything, bring me word. They had a village near the sea-side, and often looked, but saw nothing except birds. At length they espied an object, which seemed to grow, and come nearer and nearer. When it came near the land it stopped, but all the people were afraid, and fled to the woods. The next day two of their number ventured out to look. It was lying quietly on the water. A smaller object of the same sort came out of it, and walked with long legs (oars) over the water. When it came to land two men came out of it. They were different from us, and made signs for the others to come out of the woods. A conference ensued. Presents were exchanged. They gave presents to the Lenapees, and the latter gave them their skin clothes as curiosities.—*Schoolcraft*, p. 199.

‡ As the country was thinly inhabited, and by a people of little industry, who had none of the domestic animals which civilised nations rear in such vast numbers, the earth was not exhausted by their consumption. The vegetable productions, to which the fertility of the soil gave birth, often remained untouched, and being suffered to corrupt on its surface, returned with increase into its bosom. As trees and plants derive a great part of their nourishment from air and water, if they were not destroyed by man or other animals, they would render to the earth more, perhaps, than they take from it, and feed rather than impoverish it. Thus the unoccupied soil of America may have gone on enriching for many ages. The vast number, as well as enormous size, of the trees in America, indicate the extraordinary vigour of the soil in its native state. When the Europeans first began to cultivate the New World, they were astonished at the luxuriant power of vegeta-

tribes, or rather clans, were scattered over the remaining portions of the country ; but all these, like the Nipissings, were merely off-shoots of the Algonquin and Huron races, and spoke their language. No *data* exist on which to base anything approximating to a correct estimate of the population of Canada at this period ; but it certainly did not exceed fifty thousand souls. These were scattered here and there over the vast area extending from Gaspé to Goderich, which could easily sustain a population of twenty millions, and which is now peopled by nearly three millions of inhabitants.\*

The history of the Canadian Indians, prior to the arrival of the French amongst them, is shrouded in the deepest obscurity. In this respect they resembled the other Northern tribes, whose numerous wars and frequent migrations had effectually neutralised whatever benefits, in a historical point of view, they might have derived from their knowledge of pictorial writing.† Unlike the Aztecs and Peruvians, who, from memorials of this kind, could give a correct outline of

tion in its virgin mould ; and in several places the ingenuity of the planter is still employed in diminishing and wasting its superfluous fertility, in order to bring it down to a fit state for profitable culture.—*Rob.* vol. i. p. 129. *Charlevoix, History New France*, vol. iii. p. 405.

\* While hunting is the chief source of subsistence, a vast extent of territory is requisite for supporting a small number of people. In proportion as men multiply and unite, the wild animals on which they depend for food diminish, or fly to a greater distance from the haunts of the enemy. The increase of a society in this state is limited by its own nature, and the members of it must either disperse, like the game which they pursue, or fall upon some better method of procuring food than by hunting. Beasts of prey are by nature solitary and unsocial ; they go not forth to the chase in herds, but delight in those recesses of the forest where they can roam and destroy undisturbed. A nation of hunters resembles them both in occupation and in genius. They cannot form into large communities, because it would be impossible to find subsistence ; and they must drive to a distance every rival who may encroach on those domains, which they consider as their own. This was the state of all the American tribes ; the numbers in each were considerable, though scattered over countries of great extent ; they were far removed from one another, and engaged in perpetual hostilities or rivalry. In America, the word *nation* is not of the same import as in other parts of the globe. It is applied to small societies, not exceeding, perhaps, two or three hundred persons, but occupying provinces greater than some kingdoms in Europe.—*Marest's Letters*, vol. ii. p. 360.

† The Iroquois and Hurons made hieroglyphic paintings on wood, which bear a strong resemblance to those of the Mexicans.—*La Hinton*, p. 193. Schoolcraft also alludes to the pictorial writing of the Canadian Indians.

their histories for several centuries, the Canadians possessed only a few meagre traditions and crude reminiscences of the past, equally unreliable, and unworthy of serious attention. Their social condition was in accordance with the rude state of mental culture which these facts bespeak. Their weapons of war, and of the chase, were a hatchet of stone, a knife of bone, the bow, and its flint-headed arrow. Their culinary utensils were restricted to a coarse description of pottery, and rough wooden vessels, which, on the arrival of the French traders, were speedily superseded by the more portable and convenient brass or iron kettle. Their agricultural implements were equally primitive. Patches of forest were occasionally cleared by the united efforts of a tribe or clan, who felled the trees with their light stone hatchets, at an enormous sacrifice of time and labour;\* and months passed over in producing results, which are now exceeded by a single backwoodsman in as many days. This duty devolved on the men, who only performed it when absolutely necessary to their subsistence, after they had exhausted the open glades of the forest by continual cropping. To the women and children the proud and indolent savage left the labour of slightly loosening the rich loam with hoes roughly made of wood, or stakes hardened in the fire; of sowing the crop of maize, and the few vegetables with which they were acquainted;

\* All the savage tribes, scattered over the continent and islands, were totally unacquainted with the metals, which their soil produces in great abundance, if we except some trifling quantity of gold which they picked up in the torrents that descended from their mountains, and formed into ornaments. Their devices to supply this want of the serviceable metals were extremely rude and awkward. The most simple operation was to them an undertaking of immense difficulty and labour. To fell a tree with no other instruments than hatchets of stone was employment for a month. To form a canoe into shape, and to hollow it, consumed years, and it frequently began to rot before they were able to finish it. Their operations in agriculture were equally slow and defective. In a country covered with woods of the hardest timber, the clearing of a small field destined for culture required the united efforts of a tribe, and was a work of much time and great toil. This was the business of the men, and their indolence was satisfied with performing it in a very slovenly manner. The labour of cultivation was left to the women, who, after digging, or rather stirring the field with wooden mattocks, and stakes hardened in the fire, sowed or planted it; but they were more indebted for the increase to the fertility of the soil than to their own rude industry.—*Rob. Amer.* vol. i. p. 160.

of freeing these from weeds ; of harvesting and storing them in pits dug in the earth, to protect them from the winter frosts, the wild animals of the forest, and, not infrequently, from their own improvident husbands or fathers.\* With wheat, and the other cereal grains, the American Indian was wholly unacquainted ; and, aside from the products of the chase, and the fruits of his fishing labours, maize constituted his principal article of food. Although vast herds of buffaloes traversed the prairies and forests of his native land, his knowledge, unlike that of the aboriginal of Hindostan, had not taught him to use them for the purposes of the dairy, nor subdue them to the labours of the field. Of the horse he was wholly ignorant ; and not even the dog submitted to his intelligence, or rendered him the smallest service in the dangers of the chase, or in his frequent forays on the territories of his foes.

While in a primitive condition, the wants and desires of mankind are few and simple in their character. Protection from the weather, a sufficiency of food, and safety from enemies, constitute the chief objects of existence. In summer, the tough bark of the birch-tree enabled the Indian to erect, entirely to his satisfaction, a dwelling by the side of some pleasant stream or grateful forest glade. In winter this was exchanged, by the more provident, for a hut substantially constructed of earth and wood, and which was frequently

\* Their houses are smaller in the summer, when their families be dispersed by reason of heate and occasions. In winter they make some fiftie or threescore foote long, fortie or fiftie men being inmates under one rooffe ; and as is their husband's occasion, these poor taconists are often troubled, like snails, to carrie their houses on their backs, sometimes to fishing places, other times to hunting places, after that to a planting place, where it abides the longest ; another work is their planting of corne, wherein they exceed our *English* husbandmen, keeping it so cleare with their clamme shell hoes, as if it were a garden rather than a corne-field, not suffering a choaking weede to advance his audacious head above their infant corne, or an undermining worme to spoile his spurnes. Their corne being ripe, they gather it, and, drying it hard in the sunne, convey it to their barnes, which be great holes digged in the ground in forme of a brass pot, sealed with rinds of trees, wherein they put their corne, covering it from the inquisitive search of their gurmandising husbands, who would eate up both their allowed portion and reserved seede, if they knew where to find it.—*New England Prospect*, 1744

occupied in common by several families. The skins of the beaver, the fox, the marten, the buffalo, and the deer, which fell victims to his skill or courage in the chase, after undergoing a simple yet effectual process of tanning, were readily converted into garments such as he required.\* In ordinary seasons his exertions as a hunter, and the labours of his wife and children, supplied him with abundance of wholesome and nutritious food ; but his improvident and indolent habits usually prevented him from making provision for seasons of deficiency in his patch of maize, or of an unusual scarcity of game. Hence, he occasionally experienced periods of great distress, and, after devouring the carcasses of the dead animals which chance threw in his way, the skins he had accumulated for clothing or traffic, and everything around him capable of sustaining life, he became the victim of starvation in its most protracted and direst form.

Like the other natives of North America, the peculiar condition of the Canadian Indian gave a colouring to his religious tenets. He believed indeed in a future state ; but did not, like the Christian, regard it as a heaven of rest, or an eternity of punishment. It was simply with him another experimental world, peopled with the souls of animals as well as men, in which the Great Spirit would be alike merciful to all, irrespective of their conduct in this life.† After death the soul

\* Their intercourse with Europeans soon taught the Indians that it was more profitable to exchange their furs for clothing, powder, &c.

† They believe, at least to some extent, in a duality of souls, one of which is fleshly, or corporeal, the other is incorporeal or mental. The fleshly soul goes immediately, at death, to the land of spirits or future bliss. The mental soul abides with the body, and hovers round the place of sepulture. A future state is regarded by them as a state of rewards, and not of future punishments. They expect to inhabit a paradise filled with pleasures for the eye, and the ear, and the taste. A strong and universal belief in divine mercies absorbs every other attribute of the Great Spirit, except His power and ubiquity ; and they believe, so far as we can gather it, that His mercy will be shown to all. There is not, in general, a very discriminating sense of moral distinctions and responsibilities, and the faint out-shadowings, which we sometimes hear among them, of a deep and sombre stream to be crossed by the adventurous soul, in its way to the land of bliss, does not exercise such a practical influence over their lives as to interfere with the belief of universal acceptance after death. So firm is this belief, that their most reverend term for the Great Spirit, is *Gezba Monedo*, that is to say, *Merciful Spirit*. *Gitchy Monedo*, which is also employed, is often an equivocal phrase.

was still supposed to experience all the necessities of a corporeal existence. It hungered, and food must be deposited on the grave: it suffered from cold, and the body of the departed must be wrapped in clothes: it was in darkness, and a light must be kindled by its resting-place. The spirit wandered over tedious plains, paddled its bark-canoe across mighty rivers,\* and traversed the pathless forest in search of the paradise of happy hunting grounds, where it arrived at length to find game in abundance, and freedom from the privations of hunger and cold, which had beset it in the body.\*

Although debased by superstition, a degrading deference to his priest or medicine man, a mythological faith in his manitou, and numerous other inferior deities,† the Indian

The term Wazheaud, or Maker, is used to designate the Creator, when speaking of His animated works. The compound phrase Waosemigoyan, or Universal Father, is also heard.—*School.* p. 204.

\* With respect to the other great doctrine of religion concerning the immortality of the soul, the sentiments of the Americans were more united; the human mind, even when least improved and invigorated by culture, shrinks from the thoughts of annihilation, and looks forward with hope and expectation to a state of future existence. This sentiment, resulting from a secret consciousness of its own dignity, from an instinctive longing after immortality, is universal, and may be deemed natural. Upon this are founded the most exalted hopes of man in his highest state of improvement; nor has nature withheld from him this soothing consolation in the most early and rude period of his progress. We can trace this opinion from one extremity of America to the other, in some regions more faint and obscure, in others more perfectly developed, but nowhere unknown. The most uncivilised of its savage tribes do not apprehend death as the extinction of being. All entertain hopes of a future and more happy state, where they shall be for ever exempt from the calamities which embitter human life in its present condition. This future state they conceive to be a delightful country, blessed with perpetual spring, whose forests abound with game, whose rivers swarm with fish, where famine is never felt, and uninterrupted plenty shall be enjoyed without labour or toil. But as men, in forming their first imperfect ideas concerning the invisible world, suppose that there they shall continue to feel the same desires, and to be engaged in the same occupations, as in the present world, they naturally ascribe eminence and distinction in that state to the same qualities and talents which are here objects of their esteem.—*Rob.* vol. i. p. 183.

† *Rob. Amer.* vol. i. p. 184; *Charl. N. F.* vol. iii. p. 422.

Whenever men acknowledge the reality of supernatural power and discernment in one instance, they have a propensity to admit it in others. The Americans did not long suppose the efficacy of conjuration to be confined to one subject. They had recourse to it in every situation of danger or distress. When the events of war were peculiarly disastrous, when they met with unforeseen disappointment in



firmly believed in the existence of a Supreme Being, or Great Spirit, as he termed him, who made the heavens, and all material things by the power of his will. He next created animals and man out of the earth, and subsequently two spirits, a good and evil one, who continually strove for mastery. These, in the characters attributed to them by the Indian, closely resembled the Ariman and Hormuzd of the Guebre creed, as well as the Shiva and Vishnu of Hinduism. The idea embodied in this belief might be said, in fact, to constitute the groundwork of his religion, his sacrifices, and his worship. He endeavoured continually to appease the evil spirit—to disarm its malignant tendencies. He was persuaded that his good deities, prompted by the beneficence of their natures, would bestow every blessing in their gift without solicitation or acknowledgment. Hence, his only anxiety was to soothe and deprecate the wrath of those powers, whom he regarded as the enemies of mankind.\* Antagonistic as a belief of this kind is to the pure genius of Christianity, it merits nevertheless the closest attention of

hunting, when inundations or drought threatened their crops with destruction, they called upon their conjurors to begin their incantations, in order to discover the causes of those calamities, or to foretell what would be their issue. Their confidence in this delusive art gradually increased, and manifested itself in all the occurrences of life. When involved in any difficulty, or about to enter upon any transaction of moment, every individual regularly consulted the sorcerer, and depended upon his instructions to extricate him from the former, as well as to direct his conduct in the latter. Even among the rudest tribes in America, superstition appears in this form, and divination is an art in high esteem. Long before man had acquired such knowledge of the Deity as inspires reverence and leads to adoration, we observe him stretching out a presumptuous hand to draw aside that veil with which Providence kindly conceals its purposes from human knowledge; and we find him labouring with fruitless anxiety to penetrate into the mysteries of the divine administration. To discern and to worship a superintending power is an evidence of the enlargement and maturity of the human understanding; a vain desire of prying into futurity is the error of its infancy, and a proof of its weakness.

From this weakness likewise proceeded the faith of the Americans in dreams, their observation of omens, their attention to the chirping of birds, and the cries of animals, all which they suppose to be indications of future events; and if any one of these prognostics is deemed unfavourable, they instantly abandon the pursuit of those measures on which they are most eagerly bent.—*Rob. Amer.* vol. i. p. 185.

\* *Ibid.* p. 182.

the philosopher. Amid all his wars and wanderings the dim traditions of a creation, and of a general deluge, were perpetuated from generation to generation by the Indian, who, separated from his fellow-man from remotest time, bears, like the silent ruins of Nineveh, in this very knowledge, most important testimony to the truths of Holy Writ, and the folly of the sceptic's theories and deductions.

The political condition of the North American Indians was democratic in the extreme. Possessing their hunting grounds in common, and accustomed to divide their stores of provisions with one another when pressed for food, the distinctions arising from inequality of possessions were unknown amongst them. Their greatest chief and meanest warrior were on a par in point of landed property. Their huts were constructed alike, and furnished in the same rude manner: their weapons were precisely similar: to the river and the forest they had equal claims. Exulting in their freedom, they acknowledged no superiority but that arising from personal prowess or superior intelligence. When they found it necessary to attack an enemy, the warrior of the most approved courage led them to the combat: in the chase, the hunter of the greatest experience directed their motions: in the council lodge, the most eloquent orator swayed their decisions.\* During periods of tranquillity, all superiority ceased: the entire community occupied the same position, and scarcely seemed to feel the ties of political union. Destitute of any form of local government, they knew nothing of the duties of the magistrate, and were left at liberty to follow the dictates of individual inclination; without questions of property to decide, or suits to institute, they had no occasion for the services of the lawyer. If any scheme of public utility was proposed, each member of the community adopted it, and aided in its execution, or otherwise, as he deemed proper. Nothing was compulsory with him: all his resolutions were voluntary, and flowed from the impulse of his own mind.

It does not appear that even the first step had been taken, among either the Algonquins or the Hurons, towards the

\* War. Con. of Can. vol. i. p. 175.

establishment of a public jurisdiction. In the extreme case of murder, the right of vengeance belonged to the friends of the party slain, and not to the community. Their resentment was usually implacable, and not infrequently transmitted from father to son for generations. The instinct of self-defence, one of the first aroused in the human breast, evidently was the great bond of union. They united in communities, and obeyed the authority of a leader in time of war, simply because such a course was necessary for personal safety and the protection of their hunting grounds.\*

Like the other aborigines of America, the Canadian, when thoroughly aroused, displayed all the fierceness characteristic of the savage. Cruel and unrelenting in warfare, the remembrance of his massacres still lingers over many a neighbourhood in the New England States. His murders alike of old and young, his cruel treatment of his prisoners, his partial cannibalism, are too generally known to require more than a passing notice in this brief introductory sketch. But, if the Canadian Indian possessed the vices of the savage, he also inherited his virtues in an eminent degree. Bold in war, skilful in the chase, eloquent at the council-fire, and thoroughly independent, he was capable of acting on many occasions with great force and dignity. At the same time he was sincerely attached to his tribe: the Algonquins especially evinced the most chivalric spirit touching the preservation of its honour, and frequently braved the greatest dangers, and

\* Hunting on their grounds without leave, robbery, and personal violence, are the motives to an Indian war. Before they set out on their expeditions, a feast on dogs' flesh is generally prepared, which is invariably followed by the war dance. Then the chiefs recite the glorious achievements of the forefathers of the young warriors, to excite their valour, after which they paint themselves with vermilion in the most frightful manner. The route they are to pursue is usually traced on a piece of the bark of a tree. Their conduct of their wars is certainly not calculated to admit of their taking many prisoners, for instead of marching in strong parties, they often go out singly and surprise the foe, whom they kill and scalp. If the prisoners are unable to march, or dangerous by their numbers, they are destroyed. Such as are brought into a state of safety, they generally adopt as their own children. They are almost universally brave, and meet death with heroic firmness. Intolerable contempt is the sure consequence of pusillanimity.—*Smith's His. Can.* vol. i. p. 47; *Char. N. F.* vol. iii. p. 266, 467, 469.

endured the most excruciating torments without a groan, that it might not be disgraced.

The gentler affections, too, exercised a much more powerful influence among the Indians of Canada than has been generally supposed. They were strongly attached to their children, treated their parents in many instances with tenderness,\* and had a profound veneration for their dead. The ties of relationship were respected and acknowledged, and in some cases accurately traced for generations. The relation of husband and wife was clearly understood and well defined, and polygamy, although permitted by custom, was rarely practised.

Such were the prominent characteristics of the tribes who once held possession of this country. But a few generations have since passed away, and flourishing cities, and towns and villages, and thousands of happy homesteads occupy those districts where they chased the deer and trapped the beaver in the silent depths of the primeval forest. Instead of the war-whoop of the Algonquin or the Huron, the church bell now swells out on the vesper breeze, and the silence of the wilderness has given place to the matin song of the milkmaid and the blithesome whistle of the ploughman. A poor and thinly-scattered community of improvident savages has . . . . been succeeded by an orderly, industrious, and enterprising people, whose genius and resources embody all the germs of a great nation. With a commercial credit as sound as the

\* There lived a noted chief at Michilimackinac, in days past called Gitsh Naygow, or the Great-Sand-Dune, a name, or rather a nickname, which he had, probably, derived from his birth and early residence at a spot of very imposing appearance, so called, on the southern shore of Lake Superior, which is east of the range of the Pictured Rocks. He was a Chippewa, a warrior and a councillor of that tribe, and had mingled freely in the stirring scenes of war and border foray, which marked the closing years of French domination in the Canadas. They were then inland on the Manistee river, which enters the northern shores of Lake Michigan. It was his last winter on earth; his heart was gladdened by once more feeling the genial rays of spring, and he desired to go with them, to behold, for the last time, the expanded lake and inhale its pure breezes. He must needs be conveyed by hand. This act of piety was performed by his daughter, then a young woman. She carried him on her back from their camp to the lake shore, where they erected their lodge and passed the spring, and where he eventually died and was buried.—*School*, p. 191.

merchants of any country in the world can boast of, possessed of several good lines of railroad, and of a noble water communication, blessed with great mineral and agricultural resources, Canada must ere long attain to a high position in the scale of nations, and thus leave little room for regret that the possession of her soil has been transferred to the Anglo-Saxon race, and that the rule of the fierce Indian has for ever passed away.



# THE HISTORY OF CANADA.

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## CHAPTER I.

MORE than three centuries and a half have elapsed since the discovery of America constituted a new epoch in the annals of civilisation. The vague ideas of unknown climes indulged in by Strabo,\* the dim prophecies of Seneca,† the romantic theories of Plato,‡ the philosophic speculations of the middle ages,§ had all pointed to an actual reality, however obscurely ; and the return of

\* "It is very possible that in the same temperate zone, and almost in the same latitude as Athens, there are inhabited worlds distinct from that in which we dwell."—*Strabo*, lib. i., p. 65.

† "Seneca held that a vast country was originally situated in the Atlantic Ocean, and rent asunder by a violent earthquake. The portion which still remained unsubmerged by the ocean, would one day be discovered."—*Malte Brun*.

‡ "Buffon quoting Plato's *Timæus*, relative to the destruction of *Atalantis*, says, it is not devoid of probability. The land swallowed up by the waters were perhaps those which united Ireland to the Azores, and the Azores to the continent of America ; for in Ireland there are the same fossils, the same shells, and the same sea-bodies as appear in America : and some of which are found in no other part of Europe."—*Buffon's Natural History*, vol. i., p. 306.

§ "In the middle ages the prevalent opinion was, that the sea covered but one-seventh of the globe, an opinion which Cardinal d'Ally founded on the book of *Ezra*. Columbus, who always derived much of his cosmological knowledge from the cardinal's work, was much interested in supporting this opinion of the smallness of the sea. He also used to cite Aristotle, Seneca, and St Augustine in its support."—*Humboldt*.

Columbus to Spain on the 4th of January 1493, after an absence of seven months, dispelled every doubt regarding the existence of hitherto unknown regions, amid the waters of the Western Atlantic.

The wise and politic Henry VII., who then sat upon the throne of England, was not a little moved by the intelligence which so profoundly agitated the maritime nations of Europe. The mere accident of the capture of the brother of Columbus by pirates, when on his way to the English Court, had in all probability robbed that monarch of the glory of the great navigator's discoveries being made under his auspices, and deprived the nation at large of the vast commercial benefits which he foresaw they must sooner or later produce. Henry, however, was not discouraged. Wisely judging that other countries were yet to be discovered, he fitted out a small fleet in 1497, and placing it under the command of John Cabot, a celebrated Venetian navigator, sent him forth in quest of new climes, as well as of a North-West passage to the Indies and China, then sought after as earnestly as it has been in our own times.

Cabot sailed from the port of Bristol about the middle of May 1497; and following very nearly the course now pursued by vessels, making the voyage from Great Britain to North America, discovered on the 26th of June, the Island of Newfoundland, which he named St John's Island in honour of the day. After a brief stay there he continued his westerly course, and arrived off the coast of Labrador on the 3d of July. He had, therefore, the honour of being the first discoverer of the Continent of America, which was not seen by Columbus until some thirteen months afterwards. Having made a partial survey of Hudson's Bay, and the Gulf of St Lawrence, he sailed south as far as Virginia: when, being anxious to announce his success to Henry, he returned to England; where, shortly after his arrival, he received the honour of knighthood.

At this period Britain possessed no royal navy, and, in cases of emergency, the crown had to arm merchant vessels. Encouraged by the success of Cabot, Henry determined that this condition of affairs should no longer continue, and promptly applied himself to the construction of a national fleet, on one large ship of which he expended the immense sum, for those times, of fourteen thousand pounds.\* This, with some smaller vessels, he placed in the following year

1498. under the command of Sebastian, one of Sir John Cabot's sons, with instructions to search for a North-West passage. Beyond the barren glory of mere discovery, Henry derived no result

\* Hume, vol. iii., p. 76.



from this or two subsequent expeditions. No settlements were formed; and his death in 1509 terminated for several years all efforts, on the part of the British nation, to profit by a more intimate connexion with this continent. For the next fourteen years Spain and Portugal were the only nations, who derived any solid benefits from settlements in the New World. In 1524 the French Sovereign, Francis I., with a view to the partition of these benefits in his own favour, resolved to acquire a claim on a portion at least of America by further discoveries. "What!" said he, to his courtiers, "shall the Kings of Spain and Portugal divide all America between them, without suffering me to take a share as their brother? I would fain see the article in Adam's will that bequeaths that vast inheritance to them." Francis accordingly prepared a squadron of four ships, which he placed under the command of Giovanna Verazzano, a Florentine navigator of great repute, who explored the American coast from Carolina northward. He called the entire region New France, (*La Nouvelle France*,) and, utterly regardless of the prior claims of England, took formal possession of it in the name of his sovereign. Verazzano, like Cabot, returned without gold or silver. He was in consequence unfavourably contrasted with the adventurers to Mexico and Peru; met with a cold reception; and died in obscurity. In 1527, Henry VIII. resolved to make another attempt to discover a North-West passage to the East Indies. One of his ships was lost: and the remainder returned to England without any fresh discoveries being made, or a settlement effected.

In 1534 the French King fitted out a second expedition, the conduct of which he entrusted to Jaques Cartier, a fearless and skilful mariner, who had previously been engaged for several years in the fisheries on the banks of Newfoundland; which, even as early as 1517, already gave employment to some fifty English, French, Spanish, and Portuguese vessels. This expedition, consisting of two vessels of sixty tons each, sailed from St Malo on the 20th of April, and on the 10th of May arrived at Newfoundland, where it remained ten days. Proceeding northward, Cartier passed through the straits of Belleisle, entered the Gulf of St Lawrence, and landed at Gaspe; where, on the 24th of July, he erected a cross, surmounted by a fleur-de-lys, to commemorate his advent on the coast. A friendly intercourse with the natives enabled him to kidnap two men, with whom he sailed for France, where, on his arrival, he was well received by his sovereign.

In the following year Cartier obtained a new commission from

Francis, and sailed with three vessels\* direct for the Gulf of St Lawrence ; with instructions to explore its shores carefully ; to establish a settlement, if at all practicable ; and to open a traffic for gold with the inhabitants. In the month of August, on the festival day of the martyr Lawrence, this navigator entered the great father of the northern waters, which he called after the saint. Proceeding up its course he found himself, in a few days, opposite the Indian village of Stadacona, then occupying a portion of the ground on which the city of Quebec now stands. As the vessels came to an anchor the terrified natives fled to the forest, whence they gazed, with mingled feelings of awe and wonder, on the "winged canoes" which had borne the pale-faced strangers to their shores. These feelings were, however, much less intense than they must have otherwise been, owing to the rumours which, from time to time, had preceded Cartier's approach ; and to the fact, that they were well acquainted with the circumstance of his visit to Gaspé the previous year, and the outrage he had there perpetrated on their countrymen. This knowledge led the inhabitants of Stadacona to resolve on a wary intercourse with the strangers. Their chief, Donacona, approached the vessels with a fleet of twelve canoes, filled with his armed followers. Ten of these canoes he directed to remain at a short distance, while he proceeded with the other two to ascertain the purport of the visit—whether it was for peace or war. With this object in view he commenced an oration. Cartier heard the chief patiently, and with the aid of the two Gaspé Indians, now tolerable proficient in the French language, he was enabled to open a conversation with him, and to allay his apprehensions. An amicable understanding having thus been established, Cartier moored his vessels safely in the river St Charles, where, shortly afterwards, he received a second visit from Donacona, who this time came accompanied by 500 warriors of his tribe.

Having thoroughly rested and refreshed himself and his men, Cartier determined to explore the river to Hochelaga, another Indian town, which he learned was situated several days' journey up its course. With the view of impressing the Indians with the superiority of the white man he caused, prior to his departure, several cannon shots to be discharged, which produced the desired result. Like their countrymen of the South on the arrival of Columbus, the red men of the St Lawrence were alarmed by the firing of artillery ; and as its thunders reverberated among the surrounding hills, a

\* These were the *Hermína* of 110 tons, the *Little Hermína* of 60 tons, and the *Hermerillon* of 40 tons burden.

feeling of mingled terror and astonishment took complete possession of their minds.

Leaving his other ships safely at anchor, Cartier, on the 19th of September, proceeded up the river with the *Hermerillon* (which owing to the shallowness of the water he had to leave in Lake St Peter) and two boats; and frequently came into contact with small parties of the natives, who treated him in the most friendly manner. Bold, and loving adventure for its own sake, and at the same time strongly imbued with religious enthusiasm, Cartier watched the shifting landscape hour after hour, as he ascended the river, with feelings of the deepest gratification, which were heightened by the reflection, that he was the pioneer of civilisation and of Christianity in that unknown clime. Nature presented itself in all its primitive grandeur to his view. The noble river on whose broad bosom he floated onwards day after day, disturbing vast flocks of water-fowl; the primeval forests of the north, which here and there presented, amid the luxuriance of their foliage, the parasitical vine loaded with ripe clusters of luscious grapes, and from whence the strange notes of the whip-poor-will, and other birds of varied tone and plumage, such as he had never before seen, were heard at intervals; the bright sunshine of a Canadian autumn; the unclouded moonlight of its calm and pleasant nights, with the other novel accessories of the occasion, made a sublime and profound impression upon the mind of the adventurer.

Delighted with his journey, Cartier arrived, on the 2d of October, opposite the Huron village of Hochelaga, the inhabitants of which lined the shore on his approach, and made the most friendly signs for him to land. Supplies of fish and maize were freely tendered by the Indians, in return for which they received knives and beads. Despite this friendly conduct, however, Cartier and his companions deemed it most prudent to pass the night on board their boats. On the following day, headed by their leader dressed in the most imposing costume at his command, the exploring party went in procession to the village. At a short distance from its environs they were met by a sachem, who received them with that solemn courtesy peculiar to the aborigines of America. Cartier made him several presents: among these was a cross, which he hung round his neck and directed him to kiss. Patches of ripe corn encircled the village, which consisted of fifty substantially-built huts, secured from attack by three lines of stout palisades.\* Like the natives of Mexico and

\* There is no doubt that Cartier gave a most exaggerated description of Hochelaga, being desirous that his discoveries should bear some resemblance to those

Peru the Hochelagians regarded the white men as a superior race of beings, who came among them as friends and benefactors.\* Impressed with this idea they conducted them in state to their Council Lodge, and brought their sick to be healed. Cartier was at once too completely in their power, and too politic to undeceive them. It is recorded that he did everything he could to soothe their minds: that he even prayed with these idolaters, and distributed crosses and other symbols of the Catholic faith among them.

The introductory ceremony concluded, Cartier ascended the mountain behind Hochelaga, to which he gave the name of Mont Royal, subsequently corrupted into Montreal. From a point near its summit a noble prospect met his view. Interminable forests stretched on every side; their deep gloom broken at harmonious intervals by hills, and rivers, and island-studded lakes. Simple as were the natives of Hochelaga, they appeared to have some knowledge of the geography of their country. From them Cartier learned that it would take three months to sail in their canoes up the course of the majestic river which flowed beneath them, and that it ran through several great lakes, the farthest one of which was like a vast sea. Beyond this lake was another large river, (the Mississippi,) which pursued a southerly course through a region free from ice and snow. With the precious metals they appeared but very partially acquainted. Of copper they had a better knowledge, and stated that it was found at the Saguenay.

Favourably as Cartier had been received, the lateness of the season compelled his immediate return to Stadacona. The Indians expressed their regret at the shortness of the visit, and accompanied the French to their boats, which they followed for some time, making signs of farewell. The expedition did not, however, find all the natives equally friendly. While bivouacking one night on the bank of the river, they would probably have all been massacred, but for a timely retreat to their boats. Cartier had a narrow escape, and owed his life to the intrepidity of his boatswain, an Englishman.

The adventurers wintered in the St Charles River, and continued to be treated with apparent kindness and hospitality by the Stadaconians, who had fortunately laid up abundant stores of provisions. Unaccustomed, however, to the rigour of a Canadian winter, and scantily supplied with warm clothing, Cartier and his companions

of Cortes and Pizarro. Hochelaga was simply an ordinary Indian village, surrounded by wooden palisades, and containing, probably, a thousand or fifteen hundred inhabitants.

\* Jesuit's Journal.

suffered severely from the cold. To add to their other misfortunes, scurvy, the terror of the seaman in those days, made its appearance, and in conjunction with a disease produced 1536. by a licentious intercourse with the natives, speedily carried off twenty-five of their number. To a decoction from the bark of the spruce-fir, taken on the recommendation of the Indians, the remainder ascribed their restoration to health.

The long winter at length drew to a close; the ice broke up, and although the voyage had led to no gold discoveries, or profitable returns in a mercantile point of view, the expedition prepared to return home. Like other adventurers of that age they requited the kindness and hospitality of the aborigines with the basest ingratitude. They compelled Donacona, with two other chiefs and eight warriors, to bear them company to France, where the greater part of these unfortunate men died soon after their arrival.

Disappointed in their expectations of discovering the precious metals in the regions explored by Cartier, the French nation for the ensuing four years gave no adventurers to the New World. That navigator's favourable representations of the valley of the St Lawrence, however, still continued to attract a large portion of attention. In 1540 a new expedition was organised under the direction of the Sieur De Roberval, an opulent nobleman of Picardy, 1540. to proceed to Canada, as it now began to be called from the Indian word Kanata, (a collection of huts,) which had been mistaken for the native name of the country. In consideration of his bearing the expenses of the expedition, and effecting a permanent settlement on the St Lawrence, or in the adjacent districts, Roberval was created a Lieutenant-General, and appointed viceroy of all the territories claimed by the French in the New World. Circumstances having arisen which prevented him from proceeding with the expedition, which embraced five ships, he transferred its command to Cartier, who accordingly sailed the third time to New France, and arrived safely at his old anchorage in the neighbourhood of Stadacona. He was at first received with every appearance of kindness by the Indians, who expected that he had brought back their chief Donacona, as well as the other chiefs and warriors who had been taken to France. On learning that some of these were dead, and that none of them would return, they showed themselves averse to any further intercourse, and to the formation of a settlement in their neighbourhood.

Finding his position with the inhabitants of Stadacona becoming daily more and more unpleasant, Cartier moved higher up the river

to Cape Rouge, where he laid up three of his vessels, and sent the other two back to France, with letters to the king and Roberval, stating the success of his voyage and asking for supplies. His next proceeding was to erect a fort, which he called Charlesbourg. Here, after an unsuccessful attempt to navigate the rapids above Hochelaga, he passed a most uncomfortable winter. During the ensuing summer he occupied himself in examining the country in every direction, and in searching for gold, but of which he only procured a few trifling specimens in the beds of some dried rivulets. A few small diamonds were discovered in a headland near Stadacona, which was therefore called Cape Diamond, a name it still retains.

The promised supplies not having arrived, another severe winter completely disheartened Cartier, and he accordingly resolved to return home. Putting into the harbour of St John, Newfoundland,

1542. he encountered Roberval, who was now on his way to Canada, with a new company of adventurers and an abundance of stores and provisions. The viceroy endeavoured to persuade Cartier to return with him, but without effect. He and his companions were alike disheartened with the extreme cold and prolonged duration of a Canadian winter, and this circumstance in connexion with the other hardships to which they had been exposed, caused them to long earnestly to return to their own sunny France. To avoid further importunity, a possible quarrel, and forcible detention, Cartier caused his sailors to weigh anchor during the night. After a tolerably quick passage he arrived safely in his native country, where he died shortly after his return, having like many others sacrificed health and fortune to a passion for discovery, and a desire to acquire gold.

Roberval sailed up the St Lawrence to Charlesbourg, which he strengthened by additional fortifications. Here he passed the ensuing winter. Leaving a garrison of thirty men behind, he returned

1543. in the following spring to France, where he was detained by his sovereign to assist in the war against Charles V. The Peace of Cressy eventually terminated hostilities. Meanwhile Roberval had not forgotten Canada. In company with his brother Achille and a numerous train of adventurers, he again proceeded to this country with several ships. This fleet was never heard of after it put to sea, and was supposed to have foundered, to the regret of the people of France, who greatly admired the Brothers Roberval for the gallant manner in which they had borne themselves in the war. Their loss completely discouraged Henry II., now king of

France, who made no further attempts to effect a settlement in Canada. The distracted state of France occasioned by the religious wars tended likewise to withdraw, during the succeeding half century, the attention of its government from projects of transatlantic colonisation.

During the latter part of the sixteenth century, the idea of discovering a North-West passage still occupied the attention of many persons in Europe. England, now rapidly rising in maritime importance, sent out several expeditions to the northern coasts of America to search for this passage. None of these, however, had any connexion with Canada, the first colonisation of which was reserved for France, and the private enterprise of whose merchants was already accomplishing what the countenance and decrees of royalty had failed to effect. The discovery that a lucrative trade in furs could be prosecuted with the Indians, led to the formation of trading posts on the St Lawrence, the principal of which was at Tadoussac near the mouth of the river Saguenay.

The fact, thus established, that a profitable connexion with Canada could be maintained, and tranquillity having been restored in France by the accession of Henry IV. to the throne, the attention of the French Government was again turned to founding a colony in this country. In 1598 the Marquis de la Roche, a noble- 1598.  
man of Brittany, encouraged by Henry, fitted out a large expedition, which convicts were permitted to join, as it was found difficult to procure voluntary adventurers, owing to former disasters. Armed with the most ample governmental powers, the Marquis departed for the New World under the guidance of Chedotel, a pilot of Normandy. But he lacked the requisite qualities to insure success, and little is recorded of his voyage, with the exception that he left forty convicts on Sable Island, a barren spot off the coast of Nova Scotia. Owing to the failure of this adventure, and his attempts to equip another being thwarted at Court, the Marquis fell sick shortly after his return home, and literally died of chagrin. The unfortunate convicts whom he had left behind were completely forgotten for several years, and suffered the most intense hardships. Their clothes were soon worn out, their provisions exhausted. Clad in the skin of the sea wolf, subsisting upon the precarious supplies afforded by fishing, and living in rude huts formed from the planks of a wrecked vessel, famine and cold gradually reduced their number to twelve. After a residence on the island of twelve years, these wretched men were found in the most deplorable condition, by a vessel sent out by the Parliament of Rouen to ascertain their fate. On their return to

France they were brought before Henry, who pardoned their crimes in consideration of the great hardships they had undergone, and gave them a liberal donation in money.\*

The unsatisfactory result of the expedition under De la Roche, had not the effect of checking French enterprise very materially.

1599. In the following year another expedition was resolved on by Chauvin, of Rouen, a naval officer of reputation, and Pontgrave, a sailor merchant of St Malo, who, in consideration of a monopoly of the fur trade, granted them by Henry, undertook to establish a colony of five hundred persons in Canada. This monopoly once secured, Chauvin displayed very little energy in fulfilling his engagements. To save appearances, however, he equipped two

1600. vessels in the spring of 1600, and taking out a party of settlers with him, arrived safely at Tadoussac. Here, contrary to the representations of some of his companions, who stated that much more desirable locations for a settlement might be found higher up the river, he erected a small fort. During the summer he obtained a considerable stock of very valuable furs, for the most trifling consideration. Being anxious to dispose of these to advantage, he returned to France on the approach of winter, leaving sixteen settlers behind. These were slenderly provided with provisions and clothing, and in the cold weather were reduced to such distress, that they had to throw themselves completely on the hospitality of the natives. From these they experienced much kindness, yet so great were the hardships they endured, that several of them died before the arrival of succour from France. Chauvin made a second voyage to Tadoussac, and obtained another valuable cargo of furs, but failed to establish a permanent settlement. During a third voyage he was taken ill and died.

The death of Chauvin did not damp the spirit of enterprise which had now taken firm hold of the more adventurous among the French.

1603. The fur trade held out a certain and lucrative reward to perseverance and courage, and in 1603 De Chaste, the Governor of Dieppe, organised a company to conduct it. He prevailed upon several wealthy merchants to second his views, and made a most valuable auxiliary, at the same time, in Samuel Champlain, who had just returned from the West Indies, and was destined to be the founder of the French Colony of Canada. Accompanied by Pontgrave, the former associate of Chauvin, and who had made several voyages to the St Lawrence, Champlain proceeded to that river, with instructions from the French Court to ascend it as far as pos-

\* Champlain's Voyages.



sible, and make a survey of the country towards its source. He traversed its course to the Sault St Louis, but effectually stopped by these rapids, had to content himself with an observation made from the summit of Mont Royal.\*

On his return to France Champlain found De Chaste had died during his absence, and that the company he had formed had been broken up. Proceeding to Paris he laid before Henry a chart, with a description of the district he had surveyed, and was graciously received. Shortly after his return, De Chaste's scheme was taken up by De Monts, a Calvinist gentleman of opulence, now very popular at the French Court, who had already received substantial marks of his sovereign's favour. He was instructed by Henry to establish the Roman Catholic religion among the natives, but he and his friends were to be allowed the free exercise of the Calvinistic faith. He also obtained many other valuable privileges, and an entire monopoly of the fur trade.

De Monts put to sea, on the 7th of March, with a much larger expedition than had ever before left France. Erroneously supposing that the higher he ascended the St Lawrence the 1604. colder the weather must become, he remained some months trading with the natives of Nova Scotia, (where he seized an English vessel for interfering with his privileges,) and afterwards wintered on an island near the mouth of the river St John in New Brunswick. In the following spring he formed a settlement on the 1605. coast of the Bay of Fundy, which was called Port Royal; and shortly afterwards returned to France, where, owing to complaints made against him, he was deprived of his commission, notwithstanding it had been granted for ten years. De Monts had not, however, wholly lost his influence with Henry, and obtained in 1607 1607. another commission for one year. Owing to the representations of Champlain he now resolved to establish a settlement on the St Lawrence. Fitting out two vessels, he placed them under the command of that experienced navigator, and with whom he associated Pontgrave as lieutenant.\* The expedition sailed from Harfleur on the 13th of April 1608, and arrived at Tadoussac on the 1608. 3d of June. Here Pontgrave remained to trade with the natives while Champlain proceeded up the river to examine its banks, and determine upon a suitable site for the settlement he was to found. After a careful scrutiny he fixed upon a promontory distinguished by a luxuriant growth of vines, and shaded by some noble walnut trees,

\* Champlain makes no mention of Hochelaga. The village had no doubt been abandoned owing to the incursions of the Iroquois.

called by the natives, (very few of whom now resided in the neighbourhood,) Quebio, or Quebec;\* which was situated a short distance from the spot where Cartier had erected a fort, and passed a winter sixty-seven years before. Here, on the 3d July, he laid the foundation of the present city of Quebec. Rude buildings of wood were first erected on the high grounds, to afford shelter to his men. When these were completed an embankment was formed, above the reach of the tide, where Mountain Street now stands, on which the houses and battery were built. With the exception of Jamestown, in Virginia, this was the first permanent settlement established in North America.

Champlain and his companions passed the winter at Quebec without suffering any of those extreme hardships which, during the same period of the year, had distinguished the residence of former adventurers in Canada. Their dwellings being better protected from the cold, their persons more warmly clothed, more abundantly supplied with provisions, and with a greater amount of experience than their predecessors possessed, they discovered that a winter existence among the snows of the North was not only possible, but even had its pleasures.

While providing for the present comfort of himself and his companions, Champlain was not forgetful of the future. Already had he devoted his attention to the agricultural capabilities of the country. The land in the neighbourhood was discovered to be fertile, and in the autumn he planted the first wheat crop on the banks of the St

1609. Lawrence. Winter gradually merged towards spring without producing any incidents of very great importance to the infant colony. Meanwhile everything had been done to preserve a good understanding with the Indians who visited the Fort; Champlain wisely perceiving that the success of the settlement chiefly depended on their friendship. Nor were the Indians themselves, who belonged to the Algonquin nation, averse to the cultivation of a friendly understanding with the French. A fierce war was then waged between them and the Iroquois, or Five Nations, over whom they anticipated an easy victory, were they but aided by the white men. To secure this aid a son of one of their principal chiefs had already visited the fort, and as an inducement to the alliance he proposed, promised that his nation should assist Champlain in exploring the country of their enemy.

About the middle of February a scarcity of food began to prevail among the Indians. Some of these people on the opposite side of

\* Champlain, Book III. chap. iii.

the river were reduced to great extremities, and resolved to cross it at all hazards, in the expectation of receiving assistance at the fort. Death stared them in the face on either hand, and they had only to choose the mildest alternative. The huge floes of ice that crashed against each other, as they drove hither and thither with the tide, threatened instant destruction to their frail canoes, which, nevertheless, were boldly launched in succession, death by drowning being preferable to that by lingering starvation. Presently mid-channel is gained. Vast fields of ice encircle the canoes which are speedily crushed to pieces. The Indians seek to save themselves by jumping on the ice, which fortunately floats to the shore. But Champlain could only spare them a very scanty supply of food, and the unfortunate people were obliged to subsist for a time on the putrid carcasses found in the neighbourhood.

The spring appears to have been an early one; and no sooner had the weather become sufficiently warm to make travelling agreeable, than Champlain prepared to ascend the river, and explore it above Mont Royal. When twenty-five leagues from Quebec, he was met by a war party of the Algonquins on their way to attack the Iroquois, who now without much difficulty induced him to promise his aid. He accordingly retraced his steps to the fort, procured a reinforcement from Tadoussac, where another settlement had been formed, and made the other necessary arrangements for the expedition. On the 28th of May, in company with his Indian allies, he again ascended the St Lawrence, diverged into the Richelieu river, after traversing Lake St Peter, and proceeded along its course till he encountered rapids which prevented the further passage of his boats. Finding it useless to attempt cutting a road through the woods, he resolved to commit himself and his companions to the canoes of the natives, and to share their fate. Only two of his men had sufficient courage to accompany him: the hearts of the remainder failed them when they perceived the dangers of their position, and he permitted them to return. The bark canoes of the Algonquins were easily carried past the rapids, and Champlain soon found himself on the waters of the beautiful lake which still bears his name. The party saw nothing of the Iroquois until they had entered Lake George, on the shores of which a pitched battle took place, which with the aid of firearms resulted in their favour. A number of the Iroquois were killed, and twelve taken prisoners were subsequently tortured and put to death.

On Champlain's return from this expedition, he was greeted with unfavourable tidings from France. Its merchants had again made

loud complaints of the injury they sustained by the fur trade being confined to a single individual. De Monts' commission had in consequence been revoked, and Champlain was obliged to return home to give an account of his conduct, which the king listened to with apparent satisfaction. All attempts, however, to procure a renewal of the monopoly proved abortive. Still De Monts determined, even without royal patronage, to continue the settlement. To lighten the expense, he made an arrangement with some traders at Rochelle to give them the use of his buildings in Quebec, as a *dépôt* for their goods, while they, in return, engaged to assist him in his plans of colonisation. He was thus enabled to fit out another expedition for his lieutenant, and to furnish him with considerable supplies and a respectable reinforcement.

On Champlain's return to the St Lawrence, he received a fresh application from the Algonquins to aid them in another war. Undeterred alike by fear or principle he accepted the proposal; but upon his arrival at the mouth of the Richelieu, found affairs more urgent than he had anticipated. An Indian brought the intelligence that one hundred of the enemy were so strongly intrenched in the neighbourhood, that without the aid of the French it would be impossible to dislodge them. The Algonquins imprudently advancing to the attack unsupported had been repulsed with loss, and compelled to fall back and await the assistance of their less impetuous allies. As soon as Champlain came up he proceeded to reconnoitre the Iroquois' position. He found it very strong, and formed of large trees placed close together in a circle. Thus protected, the enemy continued to pour forth showers of arrows, one of which wounded him in the neck. His ammunition soon began to fail, and he urged the Algonquins to greater exertions in forcing a way into the barricade. He made them fasten ropes round the trunks of single trees, and apply all their strength to drag them out, while he undertook to protect them with his fire. Fortunately at this crisis a party of French traders, instigated by martial ardour, made their appearance. Under cover of their fire the Algonquins pulled so stoutly, that a sufficient opening was soon effected, when they leaped in and completely routed the enemy, most of whom were either killed, drowned, or taken prisoners. Of the assailants three were killed and fifty wounded. Champlain before taking leave of his allies, who were too well pleased to refuse his request, readily prevailed on them to allow one of his people to remain among their tribe to learn their language; while he, at their desire, took a native youth with him to France, whither he went soon after.

In 1611 Champlain again returned to America, bringing the young Algonquin with him; and on the 28th of May, proceeded in search of his allies, whom he was to meet by appointment. Not finding them he employed his time in choosing a site for a new settlement, higher up the river than Quebec. After a careful survey, he fixed upon an eligible spot in the vicinity of Mont Royal. His choice has been amply justified by the great prosperity to which this place, under the name of Montreal, has subsequently risen. Having cleared a considerable space of ground, he fenced it in by an earthen ditch, and planted grain in the enclosure. 1611.

At length on the 13th of June, three weeks after the time appointed, a party of his Indian friends appeared. They evinced great pleasure at meeting their countryman, who gave a most favourable report of the treatment he had received in France, and after a liberal present to Champlain the cause of their long delay was unfolded. They stated that it was altogether owing to a prisoner, who had escaped the previous year, spreading a report that the French, having resolved to espouse the cause of the Iroquois, were coming in great force to destroy their nation. Champlain complained of their having paid attention to such an idle rumour, the truth of which all his actions belied. They protested that it had never been credited by themselves, and was believed by those only of their tribe who never had an opportunity of becoming personally acquainted with the French. Having now received solemn protestations of friendship, and being satisfied with Champlain's sincerity, they declared their firm determination of adhering to his alliance; and of promoting, to the best of their ability, his projects of penetrating into the interior. As an evidence of their good will they imparted much valuable information respecting the geography of this continent, with which they seemed to be tolerably well acquainted as far south as the Gulf of Mexico. They readily agreed to his proposal to return shortly with forty or fifty of his people to prosecute discoveries, and form settlements in their country if he thought proper. They even made a request that a French youth should accompany them, and make observations upon their territory and tribe.

Champlain again returned to France with a view of making arrangements for more extensive operations; but this object was now of very difficult accomplishment. De Monts, who had been appointed governor of Saintonge, was no longer inclined to take the lead in measures of this kind, and excused himself from going to court by stating the urgency of his own affairs. He therefore committed the whole conduct of the settlement to Champlain, advising him, at the

same time, to seek some powerful protector, whose influence would overcome any opposition which might be made to his plans. The latter was so fortunate as to win over, almost immediately, the Count de Soissons to aid him in his designs. This nobleman obtained the title of lieutenant-general of New France; and, by a formal agreement, transferred to Champlain all the functions of that high office.

1612. The Count died soon after, but Champlain found a still more influential friend in the Prince of Conde, who succeeded to all the privileges of the deceased, and transferred them to him in a manner equally ample. These privileges, including a monopoly of the fur trade, gave great dissatisfaction to the merchants; but Champlain endeavoured to remove their principal objection, by permitting as many of them as chose to accompany him to the New World, and to engage in this traffic. In consequence of this permission, three merchants from Normandy, one from Rochelle, and one from St Malo, accompanied him. They were allowed the privileges of a free trade on contributing six men each to assist in projects of discovery, and giving one-twentieth of their profits towards defraying the expenses of the settlement.

In the beginning of March, the expedition sailed from Harfleur, and on the 7th of May arrived at Quebec. Champlain now  
1613. engaged in a new project. A person named Vignau had accompanied him on several visits to the Indians, and spent a winter among them. He reported that the river of the Algonquins (the Ottawa) issued from a lake connected with the North Sea, that he had visited the shores of this sea, and there witnessed the wreck of an English vessel. The crew, eighty in number, had reached the shore, where they had all been killed and scalped by the inhabitants, except a boy, whom they offered to give up to him, with other trophies of their victory. Wishing to have this narrative as well authenticated as possible, Champlain caused a declaration to be signed before two notaries, warning Vignau that if it were false he would be exposing himself to capital punishment. Finding that the man persevered, and having learned that some English vessels had really been wrecked on the coast of Labrador, his doubts were at length removed, and he determined to devote a season to the prosecution of discoveries in that part of North America.

Having this object in view he did not remain long at Quebec, and on the 21st of May arrived at the Lachine Rapids. With two canoes, containing four of his countrymen and one Indian, he proceeded on his voyage up the Ottawa, during the continuance of which he experienced much severe hardship, and encountered nu-

merous difficulties. They met with a succession of cataracts and rapids, which they could only avoid by carrying the canoes and stores overland. In some instances, the woods were so dense that this laborious plan could not be adopted; and their only alternative then was to drag them through a foaming current, exposed to the danger of being themselves engulfed. Another danger arose from the wandering bands of Iroquois, who, if they had the French in their power, would doubtless have treated them in the same manner as they did their Algonquin captives. The difficulties of the navigation increasing as they ascended the river, they were obliged at length to leave their corn behind, and trust entirely to their guns and nets for provisions. At length the party reached the abode of Tessonant, a friendly chief, whose country was eight days' journey from that of the Nipissings, where the shipwreck was said to have occurred. He received them courteously, and agreed to admit their leader to a solemn council. Champlain being asked the object of his visit, after many courteous expressions, requested four canoes to escort him into the country of the Nipissings, which he earnestly desired to explore. The Indians were averse to granting this request, and only complied with it on the most earnest entreaty. The council having broken up, he ascertained that his wishes were still regarded unfavourably, and that none of the natives were willing to accompany him. He, therefore, demanded another meeting, in which he reproached them with their intended breach of faith; and to convince them that the fears which they expressed were groundless, referred to the fact of Vignau having spent some time among the Nipissings without injury. This person was then called upon to state whether he had made such a voyage, and after some hesitation replied in the affirmative, when the Indians declared in the strongest terms that he had uttered a falsehood, having never passed the limits of their own country, and that he deserved to be tortured for his dishonesty. After a close examination of Vignau, Champlain was obliged to acknowledge that they were right; and that he had been egregiously deceived. He had not only encountered a long series of labours and fatigues in vain, but the whole season had been spent without promoting objects which he had much at heart. Leaving Vignau with the Indians, as a punishment, he returned to Quebec, whence he sailed afterwards for France, where he arrived on the 26th of August, and found that matters still continued favourable for the colony. 1614.

The Prince of Conde retained his influence at Court, and no difficulty was consequently found in equipping a small fleet, to carry out settlers and supplies from Rouen and St Malo. On board of this

fleet came out four fathers of the order of the Recollets, whose benevolence induced them to desire the conversion of the Indians to Christianity. These were the first priests who settled in Canada.

Champlain arrived safely, on the 25th May, at Tadoussac, whence he immediately pushed forward to Quebec, and subsequently to  
1615. the usual place of Indian rendezvous, at the Lachine Rapids.

Here he found his Algonquin and Huron allies full of projects of war against the Iroquois, whom they now proposed to assail among the lakes to the westward, with a force of 2000 fighting men. Always desirous to embark in any enterprise which promised to make him better acquainted with the country, Champlain laid down a plan of operations which he offered to aid the Algonquins in carrying out, and at which they expressed the utmost satisfaction. He accompanied them in a long march first up the Ottawa, and afterwards over small lakes and portages, leading to Lake Nipissing. The Nipissings, about 700 or 800 in number, who inhabited the shores of this lake, received the party in a friendly manner. Having remained with them two days, the Algonquins resumed their journey along the course of French River to Georgian Bay, which they crossed near the Great Manitoulin Island, and entered Lake Huron, which Champlain describes in his travels as a fresh-water sea 300 leagues in length, by 50 in breadth.\* After coasting this lake for several leagues, they turned a point near its extremity, and struck into the interior with a view of reaching Cahiagua, where they were to be reinforced by a detachment of the Algonquins, and some other friendly Indians. On arrival at this place a large body were found collected, who gave them a joyful welcome, and stated that they expected 500 additional warriors of other tribes, who also considered the Iroquois as their enemies, to join them. While awaiting the arrival of these warriors, several days were spent in dancing and festivity, the usual prelude to Indian expeditions. These over, and the allies not arriving, they again set out, and occasionally employed themselves in hunting, until they came to Lake St Clair, near the present city of Detroit, where they at length descried the Iroquois fort, which, in expectation of an attack, had been rendered unusually strong. It was defended by four rows of wooden palisades, with strong parapets at top, and enclosed a pond whence water was conducted to the different quarters, to extinguish any fires which might occur. The Iroquois advanced from this fort and skirmished successfully against their assailants for some time, and until the fire-arms were discharged, when they retreated precipitately. They

\* Champlain, Book ix. chap. vi.



fought bravely, however, behind their defences, and poured forth showers of arrows and stones, which compelled the allies, in spite of the exhortations and reproaches of Champlain, to withdraw beyond their reach. He now taught them to construct an enclosure of planks called a cavalier, which would command the enemy's entrenchment. The discharges from this machine were meant to drive the latter from the parapet and afford the assailants an opportunity of setting fire to the defences. The Indians showed the utmost activity in constructing this work, which they finished in four hours, when 200 of the strongest moved it close to the palisade. The shot from it drove the Iroquois into the interior of their stronghold, whence, however, they continued to discharge missiles of various kinds. The fort might now, with the greatest ease, have been set on fire, but Champlain found to his mortification that he had to deal with men who would make war only as they pleased. Instead of following his directions, they preferred to pour out execrations upon the enemy, and shoot arrows against the strong wooden defences. At length they commenced throwing pieces of burning timber, but so carelessly, as to produce very little effect, while the voices of their European friends, instructing them how to proceed, were lost amid the tumult. The Iroquois, meanwhile, drew water from their reservoir so copiously, that streams flowed through every part of the fortress, and the fires were speedily quenched, when, taking advantage of the disorder in the adverse ranks, they killed several of their assailants. Champlain himself was twice wounded in the leg, and his allies finding the reduction of the fort likely to be attended with more loss than they had anticipated, resolved to retire. They justified their conduct by alleging the absence of the 500 auxiliaries, promising on their arrival to renew the assault. For two days a strong wind blew most favourably for another attempt to fire the fort; still, nothing could induce them to advance. Several petty attacks were subsequently made, but with such little success, that the French were obliged to come to the rescue. The enemy, in consequence, bitterly taunted the Algonquins as being unable to cope with them in a fair field, and obliged to seek the aid of a strange and odious race.

The reinforcement not appearing, the Canadian Indians determined to abandon the enterprise altogether, and return home. Their retreat was conducted with a much greater degree of skill than had been displayed in their offensive operations. The wounded were placed in the centre, while armed warriors guarded the front, brought up the rear, and formed flanking parties. The Iroquois followed them a short distance, but unable to make any impression

on their ranks abandoned the pursuit. But, if the safety of the disabled was well provided for, their comfort seemed to be a matter of trifling consideration. Their bodies were bent in a circular form, bound with cords, and thrown into baskets, where, unable to stir hand or foot, they appeared like infants. Champlain suffered the greatest agony while being carried twenty-five or thirty leagues in this position, and at the termination of the journey, felt as if he had been released from a dungeon.

Arrived in the country of the Hurons, Champlain claimed the fulfilment of their promise to convey him to Quebec after the campaign. But they averred that guides and canoes could not be procured. He soon discovered that this was a mere excuse, designed to conceal their desire to retain him and his companions, with a view to a more effectual defence in case of attack, and to aid them in future forays on their foes. He was consequently compelled to pass the winter with his faithless allies, during which he derived his principal amusement from accompanying them on their hunting excursions.

No sooner had the warm sun of April and May melted the ice on the rivers and lakes, than Champlain, accompanied by some  
1616. friendly Hurons, secretly set out on his return to Quebec, where he arrived in the earlier part of July, and shortly afterwards sailed for France.\* On his arrival there, he found that the interests of the colony were threatened with serious danger, owing to the disgrace and imprisonment of his patron, the Prince of Conde, for the part he had taken in the disturbances during the minority of Louis XIII. Some other powerful protector was necessary to enable Champlain to carry out his plans; and he accordingly induced the Marquis De Themines to accept the office until the Prince should be released, by agreeing to give him a share of the emoluments. The

influence of the Marquis was not sufficient, however, to prevent his being involved in a serious controversy with several merchants, desirous to participate in the profits of the fur trade: and after a tedious negotiation of two years and a half, matters still remained in a most unsatisfactory condition for the colony. In this dilemma he sought the protection of the Duke De Montmorency, high admiral of France, who purchased his viceroyalty from Conde for 11,000 crowns. The merchants, however, still

continued to make every effort to degrade Champlain from  
1619. the governorship of Canada; but the protection of the new viceroy enabled him to overcome all opposition. A hot dispute was

\* Heriot's His. Can. p. 29. Champlain's Voyages.

also waged between the different commercial cities, as to the respective shares they ought to have in the new expedition; which was still further delayed by the disputes between the Protestants and Roman Catholics.

After a tedious voyage, Champlain arrived at Quebec in the month of July, and found that his long absence had been of the greatest injury to the colony; which, after all he had done <sup>1620.</sup> for it, numbered on the approach of winter only sixty souls, ten of whom were engaged in establishing a seminary. In the following year the Iroquois\* made a descent upon Quebec, and caused considerable alarm, although they were easily repulsed. Owing to the representations of Champlain that they had neglected to furnish supplies, the associated merchants, who had fitted out the last expedition, were deprived of all their privileges by the Duke, who gave the superintendence of the colony to William and Emeric De Caen, uncle and nephew, both Huguenots. William proceeded to Canada during the summer, and had an interview with Champlain. He was disposed to act in a very arbitrary <sup>1621.</sup> manner; and claimed the right of seizing the vessels of the associated merchants, then in the river. This conduct had the effect of further weakening the colony. Several quit it in disgust: and towards the close of 1621, the European population of Canada only numbered forty-eight souls.†

The high-handed course pursued by De Caen, and the numerous difficulties which otherwise beset the infant colony, must have quickly disheartened an ordinary man. But Champlain was not an ordinary man. Patient, self-denying, hopeful, and courageous; desirous to found a colony, and conscious that he possessed the qualities necessary to accomplish the arduous task, he did not permit himself to be turned aside from his object for a moment. No sooner had the difficulties produced by De Caen been partially arranged, than he gave his attention to settlement and discovery in the interior; and was so fortunate as to aid in the establishment of peace between his allies, the Algonquins and Hurons, and the Iroquois;‡ but which as usual was only of very brief duration.

\* Heriot's His. Can. p. 29. Champlain's Voyages.

† The first child of European parents was born in Canada this year. He was the son of Abraham and Margaret Martin, and was named Eustache.—*Parish Register of Quebec.*

‡ The Iroquois, or Five Nations, destined to act the most conspicuous part among all the native tribes of North America, occupied a long range of territory, extending from Lake Champlain and the Mohawk River to the western extremity of Lake Erie. This confederacy embraced the Mohawks, Oneidas, Onon-

Champlain's judicious policy soon led to the arrival of additional settlers, and in 1623 the settlement at Quebec alone had 1623. fifty inhabitants. To afford these more effectual protection in case of danger, he now commenced the construction of a stone fort. The distressed state of the colony, however, compelled him to depart for France before its completion to procure supplies. On his arrival there he found that De Montmorency, disgusted with the trouble his viceroyalty had given him, had transferred it to his nephew, the Duke De Ventadour, for a very moderate consideration. The new viceroy was a member of a religious order, and had long retired from the noise and bustle of Parisian life. A zealous promoter of the interests of his religion, he at once avowed that his object in becoming connected with Canada was not so much to advance its temporal as its spiritual interests. This announcement was received with the utmost distaste by the French Protestants, many of whom already looked forward to a secure refuge in the colony from persecution.

The duke promptly applied himself to carry out his views, but soon found that his course was beset with numerous difficulties, and was likely to cause him much more trouble 1624. than he at first imagined. Apart from the opposition he received from influential Huguenots, and from the De Caens, who secretly traversed his plans, among the rest, he soon ascertained that the most skilful and adventurous of the French mariners chiefly belonged to the reformed faith, and that few Roman Catholics were willing to proceed to Canada either as settlers or as sailors. After much searching he found captains of his own faith to command his vessels; but he could not prevent the major part of the crews being Protestants. To satisfy his religious scruples, he directed that the means of exercising their religion should be restricted as much as possible; and, in particular, that they should not sing psalms on the St Lawrence. The mariners, who had freely been permitted to perform this act of worship on the open sea, remonstrated in the strongest terms against the illiberal restriction; but the duke's

dagas, Senecas, and Cayugas. They were the most powerful of all the tribes east of the Mississippi. They uniformly adhered to the British during the contests that took place subsequently with the French. In 1714 they were joined by the Tuscaroras, since which time the confederacy has been called the Six Nations. Remnants of the once powerful Iroquois are still found in Canada East at Sault St Louis, or Caughnawaga, the usual rendezvous of Champlain, at St Regis, and at the Lake of the Two Mountains; whilst a considerable body of the same people, under the title of The Six Nation Indians, are settled on the Grand River in Canada West.

orders had to be obeyed, and the captains, by way of compromise, allowed them greater latitude in other parts of their ritual.\*

The conversion of the Indians, as well as the establishment of his own faith in Canada on a secure and dominant basis, was a favourite project with the viceroy. It had already engaged his attention for years, and armed as he was now with the most ample powers, and possessed of the greatest possible facilities, he resolved to make every exertion for its accomplishment. Like many others of the French nobility at this period, the Jesuits had acquired a complete control over him. The order supplied him with a confessor, and were well acquainted with his views, which they readily entered into. Three Jesuit fathers and two lay brothers, charged with the conversion of the Indians, accordingly embarked for Canada; and where, on their arrival, they were comfortably lodged <sup>1625</sup>. by the Recollets, now ten years in the country, despite an attempt by the Protestant settlers to create a prejudice against the order.

Considering Champlain sufficiently orthodox to carry out his views as to religious matters; and satisfied, also, that no person could better direct the temporal affairs of the colony, the duke continued him in all his powers as Governor of New France. From one cause <sup>1626</sup>. or another, however, over two years elapsed before Champlain returned to Canada, where he found matters in an equally unsatisfactory condition as after his former absence. The fort was in the same unfinished state as he had left it, and the population of Quebec numbered only 55 persons, of whom but 24 were fit for labour. Shortly after his return he found that a hostile spirit was brewing among the Indians; and that a fresh war might soon be looked for between the Iroquois on the one hand, and the Algonquins and Hurons on the other. Champlain made the most strenuous efforts to preserve peace, and strongly advised that several captive Iroquois, about to be tortured, should be restored to their nation, with presents to compensate them for the injuries they had already sustained. This salutary counsel was so far adopted, that one individual was sent back, accompanied by a chief and Magnan, a Frenchman. Unfortunately for the colony this pacific course had a most tragical termination. An Algonquin who sought to produce a war, in which he expected that his nation, aided by the French, would be completely victorious, persuaded the Iroquois that this

\* Champlain, who was also a strict Roman Catholic, constantly expressed a pious horror of the Huguenots, and granted them as few privileges as possible. He states in his memoirs that two-thirds of the ships' crews were usually Protestants.

mission, though professedly friendly, was devised with the most treacherous intent. Regarding the strangers accordingly as spies, the latter prepared to take the most horrible revenge. The unfortunate men found a caldron boiling, as if to prepare a repast for them, and were courteously invited to seat themselves. The chief was asked, if after so long a journey he did not feel hungry? He replied in the affirmative, when his assassins rushed on him, and cut slices from his limbs, which they flung into the pot and soon after presented to him half cooked. They afterwards cut pieces from other parts of his body, and continued their torture until he expired in the greatest agony. The Frenchman was also tortured to death in the usual manner. Another Indian, more fortunate, while attempting to escape was shot dead on the spot: a third was made prisoner.

When news reached the allies of this dreadful tragedy, the war cry was immediately sounded, and their remaining captives put to death with every refinement of cruelty. Champlain himself, deeply afflicted by the intelligence, saw no longer any possibility of averting hostilities; and felt that, as a countryman had been deprived of life, the power of his nation would be held in contempt if his death were not avenged.

Nevertheless, he could effect but little in the way of punishing the Iroquois, owing to the impoverished state of the colony, which still continued to be known by the pompous title of New France. A few small houses lodged the inhabitants of Quebec, not yet increased to 60 souls; while at Montreal, Tadoussac, Three Rivers, and two or three other points along the St Lawrence, the settlements were in a wretched condition.\* To make matters still worse, religious dissensions agitated the colony. Champlain, a sincere Romanist himself, endeavoured to carry out the views of the viceroy, while the De Caens, on the other hand, being equally sincere Huguenots, sought to obtain liberty of conscience for those of their own faith, and an equal participation in every civil privilege.

Cardinal Richelieu having by this time firmly established his influence with his sovereign, found leisure to turn his attention  
1627. to New France, and to listen to the representations of its viceroy, whom Champlain had already acquainted with the condition of affairs. Apart from the suggestions of the duke, the cardinal had the desire of crushing the Huguenots too closely at heart, to miss any opportunity of doing them an injury. He accordingly revoked the exclusive privileges which had been granted to the De

\* Heriot's *His. Can.* p. 49. See also Charlevoix.

Caens ; and at the same time, with the view of placing the colony in a more prosperous condition, encouraged the formation of a new company composed of men of influence and wealth ; and to which a charter was granted under the title of "The Company of One Hundred Associates." To this company Louis XIII. made over the fort and settlement at Quebec, and all the territory of New France, including Florida ; with power to appoint judges, build fortresses, cast cannon, confer titles, and take what steps they might think proper for the protection of the colony and the fostering of commerce. He granted them at the same time a complete monopoly of the fur trade, and only reserved to himself and his heirs supremacy in matters of faith, fealty, and homage, as sovereign of New France, and the presentation of a crown of gold at every new accession to the throne. He also reserved for the benefit of his subjects, the cod and whale fisheries in the Gulf of St Lawrence. The company were also permitted to import and export French goods to and from New France free of all restrictions.

In return for these privileges this company engaged, first, to supply all their settlers with lodging, food, clothing, and farm implements for three years ; after which they would allow them sufficient land to support themselves, cleared to a certain extent, with the grain necessary for sowing it ; secondly, that the emigrants should be native Frenchmen and Roman Catholics, and that no stranger or heretic should be introduced into the country ; and, thirdly, they agreed to settle three priests in each settlement, whom they were bound to provide with every article necessary for their personal comfort, and to defray the expenses of their ministerial labours for fifteen years. After which cleared lands were to be granted by the company to the clergy, "for maintaining the Roman Catholic Church in New France."

This scheme of Richelieu, if we except its religious illiberality, was equally able and adapted to the necessities of New France ; and had it been carried out as he proposed, would, no doubt, have placed Canada at the head of the North American colonies. But a storm was now brewing in Europe which threatened serious interruption, if not total destruction, to his plans. The imprudent zeal of the Catholic attendants of the Queen of Charles I., in connexion with Richelieu's persecution of the Huguenots, had aroused the hostility of the English people ; and the Duke of Buckingham, to gratify a private pique against the Cardinal, involved them in a war with France. The conquest of Canada was at once resolved upon at the English Court ; and Charles granted a commission for that purpose to Sir David Kirk, one of the numerous Huguenot refugees then in

England. Aided by his two brothers, Lewis and Thomas, and the younger De Caen, who vowed vengeance against his native country for the loss of his exclusive privilege, he speedily equipped a squadron, and sailed for the St Lawrence. On arrival at Tadoussac he sent a formal summons to Quebec, demanding its surrender. Champlain immediately called a meeting of the inhabitants to consult what was best to be done. On learning their determination to support him, he returned so spirited an answer, that Kirk, ignorant of the weak state of the defences, gave up his intention of capturing the town, and contented himself with seizing a convoy on its way thither with settlers and stores of all kinds.

But Champlain and his companions gained only a brief respite of a few months by their courage. The following summer, in 1629. the month of July, the English fleet again ascended the St Lawrence. A portion of it under the Admiral remained at Tadoussac, while the vessels commanded by his brothers sailed up to Quebec to demand its surrender. Champlain distressed by famine, owing to the capture of his supplies, and the settlement being severely harassed by the hostile incursions of the Iroquois, at once resolved to comply with the summons of the Kirks, and accordingly surrendered the town and fort on the next day. The terms granted him were of the most honourable character. The inhabitants were allowed to march out with their arms and baggage, and were to be conveyed to France if they desired it; but, owing to the kind treatment they experienced from the English, very few of them left the country. Leaving his brother Lewis in command of Quebec, Sir David Kirk, accompanied by Champlain, sailed for England in September; and arrived safely at Plymouth on the 20th of October.

Shortly after his arrival Champlain proceeded to London, for the purpose of obtaining an interview with the French ambassador, who was now endeavouring to adjust the differences between the two nations. The ambassador, like a numerous party in France, had no very exalted opinion of Canada; and seemed to regard its restoration, as one of the conditions of the proposed peace, as a very unimportant matter. Champlain's representations, however, prevailed at the French Court. He clearly proved the vast national importance of the fur trade and the fisheries; and that the latter formed an admirable nursery for seamen. These facts, backed by his strong solicitations, induced Richelieu to negotiate for the restoration of Canada, Acadia, and Cape Breton, which, by the treaty of St Germain en Laye, again became appendages of the French crown. The establishment of peace placed the company of One Hundred Associates



in possession of all their former privileges. They promptly reinstated Champlain as Governor of Canada, and commenced extensive preparations for a fresh expedition, which several Protestants offered to join. This the company would not permit, and stringent measures were resolved on to prevent the spread of "*Heresy*" in their transatlantic possessions.

From various causes Champlain was detained in France until the spring of 1633, when he arrived once more at Quebec with considerable supplies, and several new settlers. He found 1633. the colony in nearly the same state as he had left it, both as regarded numbers and poverty. His first care was to place its affairs in a more prosperous condition, and establish a better understanding with the Indians, and was tolerably successful in both respects. He next directed his attention to the establishment of a college, or seminary, for the education of the youths of the colony, agreeable to a scheme proposed by the Jesuits, and one of whom (a noble who had lately entered the order) gave 6000 crowns in gold to aid in carrying it out. The foundation of the seminary was laid in the 1635. autumn of 1635, to the great gratification of the inhabitants. Champlain, however, was not destined to see its completion. He died in the following December, deeply regretted by the colonists, and by his numerous friends in France. At once possessed of great experience of human nature; of energy, perseverance, enterprise, and courage, he was eminently fitted to be the founder of a prosperous colony. The tenacity with which he clung to his projects, and the earnestness with which he sought to carry them out, prove that he anticipated the future greatness of Canada, and that he was creating for himself an imperishable place in its history. His memoirs afford the most ample testimony of his extensive professional knowledge, and prove him to have been a faithful historian, a most intelligent traveller, an acute geometrician, and a skilful navigator. They also prove, that the errors of his early colonial policy were principally owing to the novelty of his position, and his want of experience in Indian affairs. While the pen of the historian can record his chequered fortunes, he will never be forgotten. The flourishing cities and towns of this dominion are enduring monuments to his foresight; and the waters of the beautiful lake that bears his name, chant the most fitting requiem to his memory as they break in perpetual murmurings on their shores.

## CHAPTER II.

### THE GOVERNMENT OF M. DE MONTMAGNY.

**M.** DE MONTMAGNY, the successor of Champlain, and a Knight of Malta, arrived in Canada in 1637. He was accompanied out by M. De Lisle, who had been appointed to the command of Three Rivers, then next in importance to Quebec, 1637. and who was also a Knight of Malta. The new Governor found the affairs of the colony in a very unsatisfactory condition. The "Company of One Hundred," after their first great effort, speedily relaxed in their exertions, and neglected to supply the necessary troops and stores. In other respects, also, the colony was in a very critical condition. The Algonquins and Hurons, unaided by the French, were utterly unable to resist the assaults of the Iroquois, who, from their intercourse with the Dutch and English traders, were fast becoming acquainted with the use of fire-arms, and had rapidly ascended to supremacy of power among the northern tribes. They had already completely humbled the pride of the Algonquins, and now closely pressed the Hurons; scarcely allowing them to pass up or down the St Lawrence, and capturing their canoes, laden with furs, as they descended to Quebec. They also threatened the settlement at Three Rivers, and their scouting parties occasionally appeared almost under the very guns of its fort. While matters remained in this condition, De Montmagny very readily entered into a plan for the settlement of the Island of Montreal by the Sulpicians, and which promised to check the future encroachments of the Iroquois from that direction. Accordingly, in 1638, 1638. M. Maisonneuve was formally invested with the government of the island on behalf of that order: and on the 17th of May, in the following year, the site of the town and fort was solemnly consecrated by the Jesuit fathers. Apart from this event, the zeal and enterprise of the religious orders made up, to a very great extent, for the supineness of the company. They organised a mission at

Sillery, four miles above Quebec, for the conversion of the Indians, and where Brubart De Sillery, once the magnificent ambassador of Marie De Medicis, and who subsequently assumed the friar's cowl, built a fort, a church, and dwellings for the natives. The Jesuits founded, shortly afterwards, the Hotel Dieu at Quebec as an hospital for the sick, and also an Ursuline Convent with a view to the education of female children.

The audacity which the Iroquois had shown, in appearing in arms before Three Rivers, and the insolence of their conduct generally, rendered it necessary for De Montmagny to guard against a surprise. However desirous he might be to punish them for the injuries they had inflicted on the French and their allies, and to compel them to abate the arrogance of their pretensions, (their aim now being evidently to give law, either by policy or force, to the whole country,) the want of resources compelled him to act on the defensive. In pursuance of this policy, he determined to erect a fort at the entrance of the River Richelieu, by which the Iroquois usually made their descents, after having first mustered their forces on Lake Champlain. The latter quickly perceived the important advantages this fort would give the French, and detached a body of seven hundred warriors, rapidly drawn together, to prevent its erection. These made repeated assaults to effect that object, but were always gallantly repulsed. The Richelieu Fort was soon completed and supplied with as strong a garrison as the means of the colony would permit.

The courage and address displayed by the Governor on this occasion made a salutary impression on the Iroquois, who felt that they were not yet sufficiently strong to cope effectually with the French. Although apparently disposed to carry on the war with vigour, they indicated at the same time an inclination for peace, now earnestly desired by the colonists, who were in a poor condition to continue hostilities, and from which they could not hope for any solid advantages. The native allies of the French being equally solicitous for peace, it was finally arranged that deputies to settle its conditions should meet at Three Rivers; and whither De Montmagny also went to be present at their interview.

The Iroquois had provided themselves with seventeen belts of wampum, (one for each proposition they proposed to discuss,) which they arranged along a cord fastened between two stakes. On their orator coming forward he addressed the Governor by the title of Ononthio, (great mountain,) a name which they continued ever after to apply to him and his successors. He declared the sincerity of the peaceable professions of the confederated tribes, "their wish to

forget the war song, and to resume the voice of cheerfulness." The wampum belts were to mark the calming of the spirit of war, the opening of the paths of peace, the mutual visits to be paid, the feasts to be given, the restitution of the captives, and other friendly proceedings. In conformity with Indian etiquette, De Montmagny delayed his answer for two days, when, at another general meeting, he gave as many presents as he had received belts, and expressed, through an interpreter, the most pacific sentiments. Piskaret, one of the principal Algonquin chiefs, then said, "Behold a stone which I place on the sepulchre of those of my people who were killed in the war, that no one may attempt to remove their bones, and that every desire of avenging their deaths may be laid aside." The treaty was still further ratified, in the opinion of the natives, by three discharges of cannon. It was for some time faithfully observed; and unwonted tranquillity for ten years reigned along the St Lawrence. The Iroquois, the Algonquins, the Hurons, and the few smaller Canadian tribes who were parties to the treaty, forgot their deadly feuds for a time, and mingled in the chase as though they were one nation.

While thus providing for the safety of the Colony, De Montmagny was not insensible to its other necessities, and caused an accurate account of its condition to be drawn up and forwarded to France. But the connexion of the "Company of One Hundred" with Canada had not, by any means, produced the golden returns they had anticipated. The powerful incentive of individual profit was wanting; a deaf ear was accordingly turned to the Governor's applications for assistance, and the Company appeared desirous to give themselves as little trouble in the premises as possible.

Like his predecessor, in whose steps he was desirous to follow as closely as possible, and whose views, as expressed in his memoirs, he laboured to carry out, De Montmagny administered the affairs of the colony with singular ability, and won alike the respect of the Indians and of his own people, as well as that of the French Court, by which he was long held up as a model for governors of new colonies.\* Unfortunately, however, for Canada, the conduct of De Poinci, Governor-General of the French West India Islands, who attempted to retain his situation in opposition to the orders of his sovereign, induced the latter to determine that in future three years

should limit the powers of his principal colonial servants.  
1647. In pursuance of this unwise policy, De Montmagny was recalled, and his successor appointed.

\* Charlevoix in Heriot, vol i. p 56.

## THE GOVERNMENT OF M. DE AILLEBOUST.

M. De Ailleboust was the next Governor of Canada. He was a man of probity and worth ; was well acquainted with the wants of the Colony, having already been commandant at Three Rivers ; and although said to have been deficient in energy and ability to his predecessors, was perhaps the best choice the Company could have made. He found matters in a tolerably prosperous condition, notwithstanding the neglect of the authorities in the mother country. Society was fast assuming an ordinary commercial appearance. From the Jesuits' Journal we learn that wood for fuel was this year publicly sold at Quebec for one and three-pence currency per cord, and the price of bread fixed at seven-pence half-penny for the six-pound loaf. Labourers received one shilling and three-pence (equal to two and sixpence at present) per day and their board : servants' wages by the year averaged four pounds. Eels, continued this journal, were sold in the market for one shilling per hundred, forty thousand having been taken at Sillery from August to November.

The peace, now of nearly nine years' duration, had enabled the missionaries to make considerable progress in the conversion of the Indians. Among those they found the Hurons the most tractable and docile. Previous habits had partially trained them to agricultural pursuits ; and at the suggestion of the missionaries they readily formed themselves into villages. At Sillery four hundred families, embracing in all nearly two thousand souls, were congregated together, and several of their other settlements were likewise very populous. Of this people alone it was estimated that fully ten thousand had placed themselves under the guidance of the missionaries, who baptized over two thousand of their number on one occasion.\* The Algonquins were found much less tractable, and less willing to receive religious instruction. Yet even among these fierce hunters the missionaries made considerable progress. Nor were they wholly unsuccessful among the Iroquois, over many of whom they exercised so great an influence as to induce them to settle within the limits of Canada ; and even, at a subsequent period, to turn their arms against their own relations.

\* Charlevoix and the Jesuit records say three thousand : but probably two thousand are nearer the mark. The French missionaries usually required only a simple assent to the truths of Christianity to qualify for baptism. The same system was pursued by Xavier in Hindostan. Hence the great number of converts baptized in both cases. Protestantism requires that converts be more fully instructed before baptism.

De Ailleboust, well aware, from personal experience of the miseries attendant on Indian warfare, and desirous to preserve the  
 1648. existing comparatively happy state of things, sought to strengthen the position of himself and his Indian allies, by forming a perpetual alliance with the New England colonies. To effect this object he despatched an agent to Boston ; but the English authorities refused to form an offensive alliance with the French against the Five Nations, which was one of the principal conditions of the proposed treaty, and the negotiation was in consequence broken off. Thoroughly incensed at this attempt to crush them, looking upon it as an instance of bad faith, and tantamount to a breach of existing treaties, and desirous likewise of avenging some minor injuries, the Iroquois determined, if possible, to extirpate the French and their principal native allies, the Hurons and Algonquins. They commenced hostilities by a rapid movement on Sillery, where they arrived on Sunday while the inhabitants were engaged in the usual religious exercises. The cry was suddenly raised, "We are murdered." An indiscriminate massacre of the unfortunate Hurons had already commenced. Old and young, male and female, alike fell victims to the Iroquois' thirst for blood. The village was soon enveloped in a general conflagration. Last of all the priest was murdered and flung into the flames ; and soon a smoking pile of ruins was all that remained of what had been a populous village a few hours before, and whose inhabitants fancied themselves in perfect security.

Notwithstanding this dreadful massacre, the Iroquois having disappeared for six months, the villages relapsed into their former  
 1649. security. The tranquillity, however, was disturbed by a party of the enemy, a thousand strong, who made an attack on the mission of St Ignace. Some resistance was offered and ten assailants fell ; but ultimately all the inhabitants were killed or carried off. St Louis was next attacked, and made a brave defence, which, though it was finally stormed, enabled many of the women and children to escape. The missionaries could have saved themselves, but attaching a high importance to the administration of the sacrament to the dying, they sacrificed their lives to the performance of this sacred rite. They were not killed on the spot, but reserved for a dreadful series of torture and mutilation.

Deep and universal dismay now seized upon the Huron race. Their country, lately so peaceable and flourishing, was become a land of horror and of blood ; a vast sepulchre of the dead. Utterly bereft of hope, the nation broke up and fled for refuge in every direction. A few reluctantly offered to unite with their conquerors, who, accord-

ing to their usual policy, readily accepted them. The greater number sought an asylum among the Cat, Ottawa, and other nations still more remote. The missionaries were at a loss how to deal with the remnant of their converts, now nearly reduced to the single village of St Mary. The Island of Manitoulin, in Lake Huron, was proposed as a safe asylum from danger; but although they wanted the means or courage to defend their country, the Hurons felt a deep reluctance to remove to such a distance from it. They preferred the insular situation of Amherst Island, in Lake Ontario, which it was hoped would secure them against their dreaded foe. They enjoyed repose for some time, but were obliged by the difficulty of obtaining subsistence, a terrible famine having appeared among them, to form stations on the opposite coast at different localities. It was hoped that on any alarm the inhabitants might flee to the island for safety; but the Iroquois, on learning the existence of these posts, came upon them successively with such suddenness and fatal precision, that it seemed as if a destroying angel had guided their steps. One after another was surprised and destroyed, till of many hundreds only a single individual escaped to tell the story of their massacre.

The unhappy remnant of the Huron nation, now reduced to 300, renounced all hope of remaining in their native country. One of their chiefs addressed the missionary, representing the extremity to which they were reduced, being ghosts rather than men, and hoping to preserve their wretched existence only by a speedy flight. "If the Father chose to remain where he was," continued the chief, "he could only have trees and rocks to instruct, as the deplorable remnant of his flock must soon be scattered in every direction by famine and the foe." He concluded by requesting the missionary to conduct them to Quebec, and place them under the immediate protection of its inhabitants. After mature consideration this course was considered the most advisable, and every necessary preparation for departure was speedily made.

Fugitives in the land where they had so long been sovereigns, the Hurons pursued their way in silence, fearful of being intercepted by some scouting party of Iroquois. Their path lay through scene after scene of desolation, terrible even to the savage, although so familiarised with rapine and ruin. As this famine-stricken band occasionally emerged from the gloom of the forest into the clearings where populous villages had been so recently situated, the charred ruins and traces of havoc and slaughter mutely, yet forcibly, proclaimed the almost general destruction of the Huron name.

And thus Providence in its wisdom swept the aboriginal races

from Canada, and left the unoccupied soil to be inherited by another and a more fortunate people, who, therefore, have not the crime of injustice to the Red Man to atone for.

Worn out with fatigue the fugitives finally arrived at Quebec, where their reception presented a mortifying contrast to that which they would have met with among the friendly tribes of their own race. The latter would have welcomed them as countrymen and equals, and supplied their wants to the best of their ability; but now they were merely regarded as objects of charity. One hundred of the most destitute found refuge among the different religious houses. The remainder were thrown upon the compassion of the community at large; and although considerable exertions were made to sustain them, they had well-nigh perished from cold and hunger, in the interval of a station being formed for them, which was named Sillery after their former chief settlement.\*

But a more deadly foe than even the Iroquois began at this period to decimate the unfortunate Indians of Canada. The French traders had already discovered the fondness of the Red Man for fermented liquors, and now introduced it as an article of commerce among the Montagnez, a small tribe occupying the neighbourhood of Tadoussac, and the other Indians who frequented that post.† Drunkenness, and the malignant passions in its train, apart from the diseases it originated, soon produced the greatest disorders among the impulsive natives. The chase was forgotten for the time: they had other excitement. The lodge of the Indian drunkard was soon visited by poverty and want, as well as the house of the white inebriate. Society was disquieted, rude as were the restraints it imposed among the aborigines of the St Lawrence, and the Montagnez chiefs solicited the Governor to erect a prison to restrain the disorderly and criminal. Much to their credit the clerical order steadily set their faces against the introduction of liquor among the Indians; but the traffic soon became too lucrative to be seriously interrupted by their endeavours. For the present, however, they saved Three Rivers from the evil, and the converts there for a brief space longer were spared the blighting influence of intoxicating drinks.

The closing event of this year, so fruitful of disaster to Canada, was the accession of a new Governor. M. De Lauson, one  
1650. of the principal members of the "Company of One Hundred," was appointed to succeed De Ailleboust, whose three years had expired. The latter retired without regret from an office, which

\* Murray's Bri. Amer. vol. i. pp. 167, 170, 171.

† Heriot's Hist. Can. p. 71.



the want of the necessary means prevented him from filling with dignity to himself, or benefit to the colony.\*

## THE GOVERNMENT OF M. DE LAUSON.

The new Governor, who arrived in Canada in 1651, must have been previously well acquainted with the wants of the colony. He had hitherto had the greatest share in the management of the Company's affairs in France, and negotiated in England for the restitution of Quebec, while in the possession of the Kirks. He was a man of integrity, had always taken a great interest in the welfare of "New France," departed thither with the best intentions, and was expected to retrieve its affairs. But he found its situation much worse than he had expected. Disorder and distress everywhere prevailed, and the several settlements were rapidly on the decline. Elated by their recent victories, and the possession of fire-arms, of which they had procured several from the Dutch at Albany, the Iroquois no longer feared the French, and spread themselves over the colony in every direction, plundering and murdering the inhabitants without distinction of age or sex. The remnant of the Huron and Algonquin nations had already fled to the north and west, whither also most of the smaller Canadian tribes retreated, leaving the Iroquois in full possession of their ancient hunting-grounds. Even the French had to withdraw from all their smaller settlements, and were virtually blockaded in Quebec, Three Rivers, and Montreal, from under the very cannon of which they and their allies were sometimes carried off by bands of the enemy, who also frequently set fire to the crops in these neighbourhoods. At Three Rivers they routed a party of French who went out to attack them, and killed their officer; and so severely did they harass the settlement at Montreal, that Maisonneuve, its Governor, was compelled to make a voyage to France, to solicit in person the succours which his letters had been insufficient to procure. He returned in the spring with a reinforcement of one hundred men, and supplies of the more necessary descriptions.†

1653.

Finding themselves unable to make any impression on the fortified places of the French, and having inflicted upon them and their allies all the injury possible, the Iroquois next turned their arms against the Eriez or Cat Tribe, whose hunting-grounds embraced the principal part of the Canadian peninsula, extending from Lake Ontario westward. The Governor, with the view of making the most of this

\* Heriot's Hist. Can. p. 72.

† Smith's Hist. of Can. vol. i. p. 29. Heriot's Hist. Can. p. 73.

circumstance, resolved to send an agent to the Onondaga Iroquois, who had always been more favourably disposed towards the French than the other confederated tribes, to ascertain whether it was possible to effect a peace. He chose for this purpose the Jesuit Father, Simon Le Moyne, who departed on his hazardous mission the 2d July.\* In his progress upwards to the Onondaga  
 1654. country, the Father was kindly entertained by the Christian Iroquois, whom he states in his journal "to have enriched him from their poverty," and likewise met many of the Huron captives, "who received him with joy." On the 10th of August he met the deputies of the Cayugas, the Senecas, the Oneidas, and the Onondagas in council, whom he astonished by the knowledge he had of their language and of the principal men of their nation.

The council terminated satisfactorily, the various deputies expressing themselves disposed to form a lasting peace with the French, and treating the Father with the greatest consideration. The Mohawks, the most hostile of the confederates, and whose country lay nearest to Lower Canada, had no representative at this council, and consequently did not indorse the peaceable professions it originated. Subsequent events proved that in making these professions, the Onondagas alone were sincere, and that the object of the other tribes was to amuse De Lauson, and to prevent him from assisting the Cats, who were a brave people, and had prepared for a most vigorous defence of their country. The Mohawks, especially, never for a moment abated their hostility to the French, and irritated by this attempt to separate the confederates, and divert the trade of the western tribes from passing through their country to Albany and New York, they resolved upon wreaking their vengeance upon Canada, the moment the destruction of the Cats enabled them to turn their arms in that direction.

Father Le Moyne arrived safely at Quebec in the month of September, and influenced by the gratifying report he made of his success, and the favourable report of the other missionaries, the Governor determined to comply with the solicitations of the Onondagas to establish a settlement in their country. Fifty men were  
 1655. chosen for this purpose, the command of whom was entrusted to Dupuys, a clever officer of the Quebec garrison. Four Jesuit Fathers, one of whom was the Canadian Superior, accompanied the expedition (which their order aided most liberally to equip) to found the first Iroquois church.

\* *Vide* Relation de la New France, 1654, for the Father's own account of this journey.

On the 7th of May Dupuys put his little band in motion for their destination. The Mohawks were fully apprised of the objects of the expedition, and had already made preparations for its destruction. Four hundred warriors of their tribe proceeded to intercept it, but failing in their object, they avenged themselves by pillaging some canoes, which had dropped behind the main body and were insufficiently guarded. 1656.

It was not deemed expedient by De Lauson to make this insult a ground of quarrel, as hopes were entertained that the influence of the western Iroquois would be sufficiently strong to compel the Mohawks to make reparation. But the latter soon showed that no concessions need be looked for at their hands. Presuming on the vacillating conduct of the Governor, and whom no doubt they despised for the impolitic course he had pursued in permitting their war against the Cats, and leaving that tribe to their fate without daring to aid them, they made a descent on the Isle of Orleans, one morning before sunrise, fell upon a party of ninety Hurons of both sexes who were in the fields, killed six of these helpless people, and carried off the rest. As they returned homewards they boldly passed up the river before Quebec, and compelled their prisoners to sing psalms when opposite the fort, as if to challenge the Governor to attempt their rescue. On arrival in their country the Huron chiefs were tortured, and the remainder of the prisoners held in severe captivity.\*

The remainder of the Hurons on the Isle of Orleans, very justly considering themselves no longer in security there, took refuge in Quebec. Having found the French unable to protect them, in a moment of despondency they now secretly sent a proposal to the Mohawks, offering to unite with them, and become one people. To this arrangement the latter promptly acceded, and finding that the Hurons after a while regretted their offer, they at once took measures to compel them to fulfil it. Scouting parties were spread around Quebec in every direction, which massacred or carried into captivity every Huron whom they encountered; and when they had, as they supposed, sufficiently humbled this unfortunate people, they sent thirty deputies to De Lauson, to demand the surrender of such as still remained under his protection.

Nothing could equal the haughtiness with which these deputies acquitted themselves. They demanded to be heard in an assembly of the French and Hurons, to which the Governor pusillanimously acceded, and was most deservedly punished by the insolence of

\* Heriot's Hist. Can. p. 75. Murray's Brit. Amer. vol. i. p. 174.

their language. "Lift up thy arm, Ononthio," said their spokesman, "and allow thy children whom thou holdest pressed to thy bosom to depart; for, if they are guilty of any imprudence, have reason to dread, lest in coming to chastise them, my blows may fall on thy head. I know," continued he, after presenting a belt of wampum, "that the Huron is fond of prayers: that he confesses and adores the Author of all things, to whom in his distress he has recourse for succour. It is my desire to do the same. Permit the missionary therefore who quitted me to return with the Hurons; and as I have not a sufficient number of canoes to carry so large a number of people, do me the favour to lend me thine."

The council broke up, without the Hurons having come to any definite conclusion as to their future course. One clan alone finally determined to keep their promise to the Mohawks, and departed with them to their country accompanied by Father Le Moynes. The Governor was severely censured by the public, for the want of courage he had displayed throughout the entire transaction, and it was generally supposed that had he pursued a contrary course the Mohawks would not have dared, engaged as the confederacy were in a war with the Cats, to press their demands in the insolent manner they had done. De Lauson finding that his pacific policy was disliked by the colonists, and tired of a government which he now felt

1657. sensible required the energy of a military man to control it with effect, quit his post without waiting to be recalled, and returned to France in disgust, leaving M. De Ailleboust in temporary charge of the Province.\*

Meanwhile, the Iroquois had pursued the war against the Cats with the utmost vigour, the possession of fire-arms giving them a great superiority in the contest. Out-post after out-post was captured and broken up, and 700 warriors of the confederates finally stormed the principal stronghold of the enemy, although defended by 1500 fighting men. This success completely annihilated the Eriez, or Cats, as a distinct tribe. Those who were not killed or taken into their tribes by the victors fled westward and northward; and were it not that the great lake which washed the southern borders of their country still retains their name, every memorial of their existence would have passed into oblivion.

The Iroquois about this period likewise turned their arms against the Outawas or Ottawas, a branch of the great Algonquin race, whose hunting-grounds lay along the Ottawa from Ottawa City upwards. This tribe did not make the slightest resistance, and sought shelter

\* Heriot's Hist. Can. p. 38.

amid the marshes along their river, or fled to the islands of Lake Huron, whence a portion of them subsequently penetrated to the south-west, where they joined the Sioux. A great part of Lower, and all Upper Canada, were now completely in the possession of the Five Nations. They had become the terror of all the Indian tribes of the north, and even on the side of New England, the cry of "a Mohawk," echoed from hill to hill, caused general consternation and flight.\*

The Iroquois having attained to this formidable position among the native tribes, and esteeming the neutrality of the French as now no longer of any value, the destruction of the settlement in the Onondaga country was resolved upon. The Christian Hurons were first massacred, some of them in the very arms of the Jesuit missionaries, and Dupuys, who still continued to command this post, saw at once that unless he and his people made a timely flight, they must shortly expect to share the same fate, an opinion in which he was confirmed by the secret warnings of some native converts. Day after day the position of this little band became more and more critical. Luckily for them, three Frenchmen had been scalped and murdered near Montreal by the Oneidas, which was promptly revenged by De Ailleboust seizing a dozen of Iroquois, and placing them in irons. This proceeding, although it added to the irritation of the confederates, now compelled them to proceed more cautiously, not wishing to endanger the lives of the prisoners.

Dupuys was destitute of canoes and other means of transport, but he remedied this want by having several light batteaux constructed in the garret of the Jesuits' dwelling, which stood apart from the other buildings. A day at length was appointed for departure, and every preparation made so secretly that the Indians knew nothing of what was going forward. To conceal the launching of the batteaux a great feast was given to them. As much noise as possible was made: the boats were speedily launched. Gorged with food and drugged with brandy, the Iroquois slept heavily, and awoke to find the dwellings of the Frenchmen tenantless, and their occupants spirited away in a most mysterious manner.†

After a dangerous journey of fifteen days' duration, Dupuys conducted his detachment in safety to Montreal. But his gratification at this fortunate occurrence was diminished by the reflection, that his precipitate flight was highly discreditable to his

\* Colden's Hist. Five Nations, vol. i. pp. 3, 4. Heriot's Hist. Can. p. 77. Missions to New France in 1659, 1660, p. 34. Brit. Amer. vol. i. p. 174.

† *Vide* Father Paul Ragueneau's Report to the Jesuit Superior in France, for full details.

country, and that had he been properly supported, he could have maintained his position among a people who only derived their power from the weakness of the French. He found the inhabitants of the Island of Montreal in a state of great alarm, owing to the appearance of parties of Iroquois, who, although they did not openly proclaim themselves enemies, were evidently there for some hostile purpose.

Towards the end of May, the Mohawks, having conducted Father Le Moyne to Montreal, agreeable to their promise to place him in a place of safety in case of hostilities, which they thus honourably redeemed, threw off the mask in conjunction with the other confederated tribes, and openly declared their determination to drive the French from the country; a purpose their ignorance of siege operations alone prevented them from accomplishing.

#### THE GOVERNMENT OF M. DE ARGENSON.

Meanwhile, the Viscount De Argenson had been appointed Governor of Canada, and landed at Quebec on the 11th of July. The morning after his arrival he was startled by the cry "To arms!" in consequence of the appearance of the Iroquois under the very cannon of the fort, where they had massacred some Algonquins. Two hundred French and Indians were promptly detached in pursuit, but the enemy fled without waiting to be attacked.\*

Shortly after this occurrence a strong force of the Mohawks approached Three Rivers, designing to surprise that post if possible. Under pretence of holding a conference with the commandant, they sent eight men to ascertain the condition of the garrison; but these, instead of being treated as legitimate deputies, were promptly placed in prison. Disappointed in their object they retreated from the colony, which for a brief space enjoyed repose. Of this the missionaries promptly availed themselves to prosecute their labours among the northern tribes, and now discovered several routes to Hudson's Bay.

The principal events of the following year were the arrival of the Abbé De Montigny, the first Canadian bishop, on the 27th  
 1659. of June; and the establishment of a regular parish priesthood, entitled to one-thirteenth of all the natural and artificial products of the country as tithes. In the spring of 1660, the Iroquois made a fresh irruption into Canada; and 700 of their warriors, having defeated a strong body of the French and  
 1660. their Indian allies, sent to intercept them, advanced to Quebec,

\* Smith's Hist. Can. vol. i. p. 29. Heriot's Hist. Can. p. 87.

which they held in a state of blockade for the greater part of the summer. Their scouting parties during this period spread themselves over the country in every direction, and committed all the mischief possible. No succours arriving from France, a feeling of utter despondency now took possession of the colonists, many of whom prepared to return thither.

The first half of the succeeding year proved equally fruitful of disaster to the colony. The enemy swept like a sirocco over the open country in every direction. Towards midsummer, 1661. however, they retired, satisfied for the present with the injuries they had inflicted; and, in the month of July, sent two canoes to Montreal, with a flag of truce to demand an exchange of prisoners, as well as to signify that they were not indisposed to peace. After some consideration the governor acceded to the proposed exchange, which Father Le Moyne was deputed to arrange, as well as to ascertain whether an honourable peace could not be effected. With these objects in view the Father accompanied the deputies, who belonged to the Onondaga and Cayuga tribes, on their return home.

#### THE GOVERNMENT OF M. DE AVAUGOUR.

The ill-health of De Argenson, added to the chagrin he had experienced at the supineness of the Company, and some private discontents, had induced him during the past year to desire his recall, when the government was committed to the Baron De Avaugour, who arrived out in the latter part of the summer, and shortly afterwards visited the several settlements throughout the country. The Baron, a military man, who had served in Hungary with distinction, was possessed alike of great integrity and resolution of purpose, and entered upon his government with the intention to administer it to the advantage of the colony. But he was astonished at the deplorable condition of affairs, and despairing of relief from the "Company of One Hundred," now reduced to forty-five members, he promptly complied with the solicitations of many of the inhabitants to request the King to take Canada under his immediate protection, and to present him with a petition to that effect from themselves. Boucher, commandant of Three Rivers, was sent to France to lay their memorial before Louis XIV., and was graciously received by his sovereign, who was much surprised to learn the deplorable state of matters in a country naturally so fruitful of resources. 1662. He promptly ordered M. De Monts to proceed to Canada as his commissioner to inquire into its condition, and whether it

would be desirable to annul the Company's charter. He directed at the same time, that four hundred soldiers should hold themselves in readiness to reinforce the posts most exposed to the assaults of the Iroquois. The subsequent arrival of these troops at  
 1663. Quebec was productive of the greatest satisfaction to the inhabitants, and begat the hope that the colony would soon attain to its merited importance and prosperity.\*

Although Father Le Moyne still remained in the Onondaga country, his mission, beyond the exchange of prisoners, had pro-  
 1662. duced no results of importance. The Indians, it is true, were greatly attached to him as an individual, and listened attentively to his religious instructions, but this did not prevent the Onondagas and Cayugas from making a fresh irruption into Canada. On the Island of Montreal they attacked the inhabitants at work in the fields, and killed the town-major and a party of twenty-six soldiers sent out to protect them, after a sanguinary conflict which lasted an entire day.

In the meantime the proud and unbending De Avaugour became involved in a serious controversy with the clergy, whom he disliked on account of the great influence they exercised in the affairs of the colony, and which not unfrequently clashed with his own authority. Hitherto he had prohibited the sale of intoxicating liquors to the Indians. A woman disobeyed his ordinance on that head, but was screened from punishment by the interference of one of the Jesuit Fathers. This occurrence, in connexion with the dislike he had already conceived against the order, so piqued the Governor that he declared, "that since the traffic of spirits was not deemed by ecclesiastics a fault punishable in a woman, no man should in future suffer for a similar offence." This decision, which the resolute old general refused to alter, was productive of the greatest disorders, and operated most unfavourably to the authority of the clergy. The lust of gain proved stronger with the people than the admonitions of their confessors, whom some persons even taunted with the heavy tithes they collected and their own avarice. The bishop was finally under the necessity of going to France to put a stop to this state of things, and succeeded in procuring from the King an order prohibiting the sale of liquor to the Indians. The bishop's success in this respect, and the favour with which he was otherwise regarded at court, so disgusted the Governor, that he requested permission to resign his post. The

\* Her. Hist. Can. p. 97. Smith's Hist. Can. vol. i. p. 35. Char. vol. ii. p. 120. Con. of Can. vol. i. p. 285.



agitation, however, had one good effect. It ultimately led to the tithes being reduced from a thirteenth to a twenty-sixth part of the products of the country. But, under the new arrangement, the farmers were compelled to pay their tithes in clean grain, instead of in the sheaf as before.\*

The earlier part of the ensuing year was distinguished by a memorable event in the annals of this country. On the 5th of February, about half-past four in the evening, a great noise 1663. was heard throughout the whole extent of Canada. It resembled the crackling and rushing sound of a great fire, and the inhabitants imagining their dwellings were in flames ran out of doors to save themselves. But their terror was if possible increased when they saw the buildings tottering backwards and forwards, the walls, in many instances, suddenly parting one moment, and closing again the next. The earthquake caused the bells in the churches to peal, the pickets of fences to bound from their places, great trees to be torn up by the roots, and dashed hither and thither against their fellows of the forest. Dogs howled, terrified cattle ran here and there, dense clouds of dust increased the prevailing darkness, while the cries and lamentations of women and children, who supposed their last hour had come, added to the horrors of the hour. The ice on the different rivers was broken into fragments and frequently thrown into the air, several small rivers and springs were dried up, and the water of others strongly impregnated with sulphur. In some instances hills were torn from their places, their broken fragments damming up the courses of rivers, and inundating the neighbouring districts. But derangements of this kind could only have been of a temporary character, for at the present moment the physical features of this country present the same general aspect as they did to Jacques Cartier.† The St Lawrence, from Kingston to Quebec, bears no marks of having had its channel changed. The rapids of Lachine, or the Sault St Louis, remain in the same state as when first seen by Europeans. There appears to be some grounds for the supposition that the St Lawrence, at one period, diverged into two streams at Cape Rouge, which again united at Quebec. But if this has ever been the case, it must have happened long before the French visited this country. All the old writers on Canada are pretty unanimous upon this point, and there can be no doubt that had any important changes in the physical appearance of the country taken place, they would be easily

\* Smith's Hist. Can. vol. i. p. 33. Heriot's Hist. Can. p. 160.

† Heriot's Hist. Can. p. 102, Jesuits' Jour. 1663. Smith's Hist. Can. vol. i. p. 34. Hist. Brit. Amer. vol. i. p. 175.

traced, even at the present day, as belonging to that period in which it is supposed the coal beds originally lying in the limestone basins of the valley of the St Lawrence were destroyed by subterranean fires.

The first shock continued without intermission for half an hour. Three hours afterwards another violent shock was felt, and during the night no less than thirty shocks took place. Slighter shocks were subsequently experienced at intervals till the month of August. This earthquake extended throughout Canada, Nova Scotia, and New England. There can be no doubt that its effects were much exaggerated, owing to the novelty of the occurrence, and the extreme terror it produced. The Jesuits' Journal, which supplies very full details of the event, does not state that any buildings were destroyed, and it says that no person perished, a proof of itself that the danger was not very imminent. The geological formations in many parts of Canada, and particularly the islands of the St Lawrence, prove the occurrence of severe earthquakes and volcanic eruptions at some very remote period, but there is no just grounds to suppose that the causes which produced these now exist, or that this country will ever again be subjected to severe visitations of this kind.

## CHAPTER III.

### THE GOVERNMENT OF M. DE MEZY.

THE representations of his commissioner, as well as those of the Canadian Bishop, who strongly advocated the measure, determined Louis XIV. to demand their charter from "The Company of One Hundred Associates," and to place the colony in immediate connexion with the crown. The profits of the fur-trade having been much diminished by the hostility of the Iroquois, the Company readily surrendered their privileges, an act which inaugurated a new and better condition of things in Canada. As soon as the transfer was fully completed, and the necessary arrangements made for the conduct of the government, a new Governor, M. De Mezy, was appointed for three years, and an edict\* published, which defined the powers of the principal officers of the colony. 1663.

Hitherto, with the exception of a tribunal for the decision of small causes, no court of law or equity existed in Canada, and the Governors decided according to their pleasure,† but provision was now made for the regular administration of justice, in conformity with the laws of France, and a sovereign council or court of appeal created. It consisted of the Governor, the Bishop of Quebec, and the Intendant, together with four others to be named by them, one of whom was to act as Attorney-General, and another as Clerk.

De Mezy, accompanied by the Bishop, to whom he owed his appointment, arrived at Quebec in the latter part of the summer, and at once assumed the government of the colony. He brought with him M. De Gaudais, who came out as the King's Commissioner to take possession of the colony, to report on its condition, and also to investigate the charges against the Baron De Avaugour. The latter willingly resigned his authority and returned to France, where he

\* Smith's Hist. Can. vol. i. p. 36-39.

† Heriot's Hist. Can. p. 104. Smith's Hist. Can. vol. i. p. 36.

found no difficulty in satisfying his sovereign how little he was to blame. He afterwards entered the service of the Emperor of Austria and was killed in 1664, while gallantly defending the fortress of Serin in Croatia against the Turks. De Mezy brought out with him the four hundred troops already alluded to, and one hundred families of emigrants, with cattle, horses, and every description of agricultural implements.

As the Governor was indebted for his post to the Bishop, the Jesuits supposed that he would prove much more tractable and more favourably inclined to them than his predecessor had been. On this point they soon found they had made a serious mistake. The Governor, like De Avaugour, and a large party in France, viewed the growing influence of the order with the utmost dislike, and promptly applied himself to thwart its views in the colony.\* But he speedily discovered that the Jesuits exercised an influence and power superior to his own. Owing to their representations, or to those of their creatures, Colbert determined on his recall. On the other hand, the statements of De Mezy in his own defence had considerable  
1664. weight at the French court, and led to suspicions that the Jesuits had attained to greater influence in the colony, than was consistent with the interests of the crown.\*

While these events were in progress, Louis appointed the Marquis De Tracy viceroy of all the French possessions in the New World with instructions to proceed to Canada, after making a tour of inspection through St Domingo and the Windward Islands, and to provide for its future security by curbing the power of the  
1665. Iroquois. The Marquis had scarcely departed on his mission, when M. De Courcelles was directed to proceed to Canada to supersede De Mezy. In conjunction with De Tracy, and Talon, the Intendant, he was also to form a commission to investigate the complaints against his predecessor, and, if necessary, was instructed to bring him to trial. But De Mezy died before even the intelligence of his recall had arrived, and thus escaped the mortifications which he must have otherwise been subjected to.†

#### THE GOVERNMENT OF M. DE COURCELLES.

The Marquis De Tracy arrived at Quebec in the month of June, bringing with him from the West Indies a portion of the regiment of

\* Conquest of Can. vol. i. p. 287. Heriot's Hist. Can. p. III.

† De Mezy died 5th May 1665, before he knew of his recall.—*Jesuits' Jour.* The commission of his successor was dated 23d March 1665.

Carignan, and was soon afterwards joined by Governor De Courcelles, and the remaining companies of this corps. In the same fleet with the Governor came out 130 adult male emigrants, and 82 women and children. It likewise brought, for the use of the colonists, sheep and horses, and a large supply of agricultural and other stores.

The viceroy promptly applied himself to fulfil his instructions with respect to the Iroquois. The force at his command readily enabled him to repel their usual summer forays, and the harvest was consequently gathered in security. To check their future inroads, as well as to place troops in close proximity to their country, and afford a secure base for offensive operations against them at any time, forts were erected on the river Richelieu at Sorel, at Chambly, and at a point above its rapids. The vigorous manner in which these forts were constructed, as well as the bolder front now assumed by the French and their allies, discouraged the Iroquois for the time. The Onondagas, the Cayugas, and the Senecas sent deputies to Quebec, to assure the Governor of their peaceable disposition, and of their desire to maintain in future a good understanding with the French. One of the deputies (Garahonthie) pronounced an eloquent eulogium on Father Le Moyne, who had died in his country a short time previous, and declared the sorrow of his people for that event.

But the Mohawks and Oneidas still kept haughtily aloof, and as this conduct left no doubt of their hostility, a winter expedition into their country was resolved upon to punish them for the numerous injuries they had inflicted on the colony.\* This expedition, composed of 300 soldiers and 200 militia, left Quebec on the 9th January, under the command of De Courcelles. Each man carried, besides his arms and the necessary warm clothing, twenty-five pounds of biscuit. During the march to the Richelieu the greatest hardships were encountered, owing to the severity of the weather, and some men were lost, who had to be replaced from the garrisons on that river. Still, De Courcelles resolutely persevered in the enterprise, and after a long and toilsome journey, the greater part of which his troops performed with snow-shoes, he found himself in the vicinity of Schenectady on the 9th of February. In the evening some Indians making their appearance he detached sixty of his best marksmen in pursuit. These were led into an ambuscade, and had an officer and ten men slain and seven wounded.

Intelligence of the approach of the Canadians speedily reached

\* For full details of this expedition see *Relation, &c. la Nouvelle France*, 1665, 1666.

Albany, three of whose principal inhabitants were despatched to inquire the cause of the invasion of English territory. De Courcelles stated, that he was not aware of being on ground belonging to England, that he had come solely to seek out and punish the Mohawks for the numerous injuries they had done to the people of Canada, declared himself willing to pay in money for provisions, and requested that his wounded men might be taken to Albany and attended to, which was done. Much to his chagrin, however, he learned that he was still three days' march from the villages of the Mohawks, which were well fortified after the usual Indian manner, and would be resolutely defended. Under these circumstances he resolved upon a retreat, and on the 12th of February put his little army in motion on their return. The Mohawks despatched a body of warriors in pursuit, but so rapidly did the French retire, that these had to rest satisfied with the capture of three stragglers from the main body, and the scalps of five men who had perished from hunger and cold.\*

But, although this expedition failed in its object of surprising the Mohawks, and of inflicting a severe chastisement on them while unprepared to defend themselves, the hardihood and courage which it displayed made a most salutary impression on the confederate tribes. They no longer felt themselves safe from attack; and feared that the evils of invasion and plunder, which they had so often inflicted on the Canadians, would now be retaliated on themselves. The statements of the prisoners captured by the Mohawks strengthened this supposition; and in the following May deputies again arrived from the three western tribes to demand the continuance of peace. The Oneidas speedily resolved to follow their example, and used their influence with the Mohawks to send deputies also to Quebec, to make peace with "Ononthio." But these haughty warriors refused to become suitors in this way. The Oneidas, they said, might represent them, and they would be bound by their acts, but this was all they would concede. At the same time, they took the most effectual method of preventing the conclusion of peace. One of their scouting parties massacred three officers in the vicinity of Fort Anne, recently erected on an island in Lake Champlain, and captured some prisoners. To punish this outrage, Captain De Sorel promptly collected a force of three hundred men, and led them by forced marches towards the villages of the Mohawks. The latter were speedily acquainted with this movement, and feeling themselves unable singly to oppose the

\* Doc. Hist. New York, vol. i. p. 71. Heriot's Hist. Can. p. 117.

French, resolved upon submission. Two deputies were despatched to meet De Sorel. These took the prisoners with them, and were instructed to offer reparation for the murder of the three officers. The deputies met the French while still distant sixty miles from their villages, and their protestations so appeased De Sorel, that he returned and had them conducted to Quebec. Here they were treated with no small consideration, and the second day after their arrival were invited to dinner with the viceroy. The conversation chancing to turn on one of the murdered officers, one of the Mohawks boasted that it was he who had killed him. In a transport of rage De Tracy told him he should never kill another, and forgetful of his character as an ambassador, ordered him to be immediately strangled.

There was no course now left open to the viceroy, but that of a prompt and vigorous invasion of the Mohawks in their own country. The death of their chief could only strengthen their enmity towards the French, and his policy was, therefore, to extirpate them if possible, or, at all events, to so weaken their power that their hostility in future would not endanger the repose of the colony. Preparations for an expedition into the Mohawk country, on a larger scale than ever, were at once undertaken, and so vigorously were they prosecuted, that by the end of September a force of 1200 soldiers and militia, and 100 Indians, rendezvoused at Fort Anne, on Lake Champlain. 1666.

The main body of this force was commanded by De Tracy in person, although he was now seventy years of age : De Courcelles led the vanguard. During the march provisions fell so short that the troops were on the eve of mutiny ; but fortunately a chestnut grove enabled them to appease their hunger, and the deserted villages of the enemy, who fled at their approach, soon after supplied them with abundance of food.

Hitherto the Mohawks had waged war for years without having had their homes desecrated by a foe, but they were now subjected to a misfortune which they had so often inflicted on others. Overpowered by a superior force, they were compelled to behold their homes, much more comfortably constructed than those of the other native tribes, given one after another to the flames ; and the stores of corn, which they had prudently collected, plundered or destroyed by their invaders. One stronghold they resolved to defend. It was protected by a triple line of palisades twenty feet in height, flanked by bastions at the angles, and contained large stores of provisions. But, as the French approached with two fieldpieces to the assault, their courage failed

them, and they fled into the recesses of the forest, leaving a few old men and women to the mercy of their foes.\*

Famine was now the fiercest enemy which the Mohawks could have to deal with. They must either await its destructive ravages in their own country, or scatter themselves among the other Iroquois to obtain sustenance during the coming winter. In both cases they would be powerless for offensive operations: so De Tracy, satisfied with the success he had achieved, put his troops in motion on their return. After suffering from a storm on Lake Champlain, in which eight men were drowned, they arrived in Canada, where they were welcomed by the acclamations of a grateful people, and a Te Deum in the Cathedral of Quebec.

The viceroy now strengthened the settlements on the St Lawrence, as the surest mode to repress the future incursions of the Iroquois. At the same time an attempt was made to carry out a royal edict, directing the inhabitants to collect as much as possible in villages, so as to act in concert in case of attack. This was, however, found

1667. to be impracticable, owing to the scattered manner in which the clearings had already been made. One of the last acts of the viceroy, before his departure, was to confirm the West India Company in all the privileges previously appertaining to the Company of One Hundred Associates; and thus Canada was again subjected to a monopoly, which operated most injuriously to her prosperity.

The departure of De Tracy placed the chief authority of the colony in the hands of De Courcelles under most favourable circumstances.

1668. The Iroquois earnestly sued for peace, which was now established with better prospects of continuance than ever before. In civil affairs the Governor had an able coadjutor in the Intendant, or Finance Minister, Talon, who lost no opportunity to serve the colony, and develop its resources. This prosperous condi-

1669. tion of matters induced the greater part of the officers and men of the regiment of Carignan to settle in the country. To supply the latter with wives the Government sent out several hundred women from France. Many of these were not of the purest reputation, yet so great was the matrimonial demand, that the whole cargo was disposed of in a fortnight after its arrival.

In 1670 the peace which had so happily been established was seriously menaced. The robbery and murder of an Indian chief,

\* Doc. Hist. New York, vol. i. pp. 69, 70. Heriot's Hist. Can. p. 121. Smith's Hist. Can. vol. i. p. 53.



while on his way to dispose of his furs, by three French soldiers, and some quarrels between the Senecas and Ottawas, threatened again to deluge the colony with all the horrors of warfare. The Governor promptly proceeded to Montreal, and there had the soldiers tried and executed for the murder in the presence of the assembled Indians, whom he declared he would punish with the same severity if they disturbed the public peace. By this impartial conduct, and his prudent representations, he induced the Ottawas and Senecas to send deputies to Quebec, where all their disputes were satisfactorily arranged. 1670.

But a more destructive foe than even the Iroquois was now about to afflict the hapless red men of Canada. The small-pox made its appearance amongst them this year with the most fatal virulence. Some of the small tribes resident north of Quebec were almost wholly swept away. Tadoussac, where 1200 Indians annually assembled to barter their rich furs, was completely deserted; and Three Rivers, once crowded with the Algonquins, was now never visited by a red man. Time did not abate the ravages of this fatal disease. A few years subsequently it attacked the Indians of Sillery, and out of 1500 scarcely one survived.

The salutary dread with which the French had inspired the Indians, enabled De Courcelles, during the succeeding year, to interpose effectually between the Senecas and the Pouteouatamis, a western tribe, for the preservation of peace. At the same time, the religious and political zeal of the Jesuit missionaries was fast building up an influential French party among the Onondaga and Cayuga Iroquois. Many of the converts had already come to reside in Canada. These were now separated from the Huron Christians, and established in a distinct settlement of their own at Caughnawaga, near the Lachine Rapids. French influence was also strengthened among the distant tribes of the north-west by the mission of Nicholas Perrot, an experienced traveller, who had embraced the service of the Jesuits from necessity. This bold adventurer penetrated among the tribes dwelling on the borders of the upper lakes, took possession of their country in the name of his sovereign, and speaking their language fluently, he readily persuaded them to consider themselves under the protection of the Governor of Canada, and to send deputies to the Falls of St Mary. Here they were met by the representative of De Courcelles, acknowledged the sovereignty of his King, and witnessed the erection of a cross bearing the royal arms of France, as an evidence that he had taken possession of their soil. 1671.

Although the Iroquois were at peace with the French and their

native allies, they were far too restless not to carry their arms in other directions. On their southern borders they terminated a long and fierce struggle with two tribes, by a final defeat and incorporation with themselves. Of this event De Courcelles was duly made aware, and he at once saw the necessity of imposing new barriers to their future forays into Canada. A fort at Cataraqui, situated at the foot of Lake Ontario, and at the head of the St Lawrence, would form an excellent base for operations at any time against the western Iroquois, as well as a valuable trading post. Here he accordingly met the deputies of those nations in person, explained that he wished to establish a trading post in the neighbourhood, and obtained their consent thereto. Gratified at the success of his plans thus far, he returned to Quebec to find his successor already arrived in the person of Louis De Buade, Count De Frontenac.

His failing health had previously compelled De Courcelles to solicit his recall, and he returned home followed by the regrets of the majority of the inhabitants, to whom his chivalrous courage and prosperous administration had endeared him. With the religious orders, now becoming an important element in Canadian society, he was far from popular; and the Jesuits, whose views he especially thwarted, regarded him with positive dislike. Wisely leaving the chief burden of the civil administration to Talon, whose greatest fault was that he deferred too much to the clerical orders, the Colony flourished greatly under his rule, taking the exactions of French monopoly into consideration. The Iroquois feared him for his courage, and respected him for his love of justice and moderation, qualities which also won for him the sincere respect of the Indian allies of the French. He sincerely desired the prosperity of Canada, and prior to his departure other cares did not prevent him from impressing upon his successor the necessity of a fort at Cataraqui to insure its continuance.\*

#### THE GOVERNMENT OF THE COUNT DE FRONTENAC.

The Count De Frontenac was already a lieutenant-general, and had frequently distinguished himself as a soldier. Brave, talented, and possessed of most of the virtues of the old nobility of  
1672. France, he likewise inherited many of their vices. His noble descent, as well as military education, made him haughty and overbearing in his manners. It was his nature to command: he wished to rule alone. This circumstance of itself soon rendered him unpopular with the Jesuit fathers, to whom his great personal influ-

\* Heriot's Hist. Can. vol. i. p. 293. Smith's Hist. Can. pp. 62, 63.

ence at the French Court and numerous friends made him very formidable. The free and easy manners of a colony, where comparative equality of possessions had planted to some extent the incipient seeds of democracy, was little suited to the count; and those who knew him best augured a new order of things on his arrival. To Talon especially, this prospect was most unpleasant. The indolence of De Courcelles in civil affairs, had hitherto given him a principal share in the internal administration of the colony. Unwilling to have his influence diminished he had some time before De Frontenac's arrival applied for his recall, but had been prevailed upon by the King to remain at his post until its affairs should be placed on a more permanent footing,

Flattered by the compliment his sovereign had paid him, the zeal of Talon was stimulated to fresh exertions in his service. In 1673 he despatched Father Marquette, a Jesuit, and Joliet, a geographer of Quebec, to search for the great river which the Indians had so often described as flowing towards the south. These adventurous men, accompanied by six voyageurs, boldly navigated Lake Michigan in bark canoes, ascended Fox River, and finally struck the Mississippi in 42, 30 north latitude. Descending its stream till they satisfied themselves that it flowed into the Gulf of Mexico, they retraced their course towards 1674. Canada. Marquette subsequently decided to remain among the Indians of the north-west, while Joliet descended to Quebec to inform Talon of the gratifying results of the expedition. He found the intendant had already departed for France, his successor, Du Chesneau, having arrived.

Canada now enjoyed a long repose from Indian warfare. Nevertheless, her prosperity was far less rapid than it might have been. The despotic conduct of the Governor led to continual quarrels between him and the other principal officials. He imprisoned a priest for inveighing against him from the altar, exiled, of his own authority, the attorney-general and all the councillors, came to an open rupture with the intendant, filled the principal departments with his own creatures, and thus became the sovereign arbiter of the colony, which he ruled with a rod of iron. The surrender of its charter by the West India Company, rather increased 1675. than diminished his power, of the arbitrary exercise of which frequent complaints were made to Louis XIV., which, however, owing to the influence of his friends received but very little attention.\*

\* Heriot's Hist. Can. p. 149. Smith's Hist. Can. vol. i. p. 68. Brit. Amer. vol. i. p. 80.

The departure of Talon and the death of Father Marquette, prevented for some time the prosecution of fresh discovery  
 1676. and settlement on the Mississippi. In 1676 this project was again resumed by the Sieur De la Salle, a young man of family, who had come to Canada to discover, if possible, some route to Japan and China; or, in other words, a north-west passage by land, so long fruitlessly sought after at sea. Thus open to schemes of adventure and profit, the representations of Joliet fired his imagination, and he resolved to descend the Mississippi to its mouth, which he felt confident must be somewhere in the Gulf of Mexico. He speedily won the favour of De Frontenac, who sent him  
 1677. to France to lay his plans before the king, backed with strong recommendations from himself. La Salle met with the greatest success. Louis XIV. granted him the seigniory of Cataraqui, bestowed on him the government of the fort there, (Frontenac,) on condition that he should cause it to be rebuilt with stone, invested him with the privilege of carrying on a free commerce, and authorised him to resume the discoveries on the Mississippi.

Encouraged by the success of his mission, La Salle returned with  
 1678. thirty workmen and pilots to Quebec, where he arrived on the 15th of September. After a brief stay there he ascended to Fort Frontenac, which he promptly rebuilt with stone. At the same time he had a barque constructed in which he sailed to Niagara, where he erected a small fort, and whence he vigorously prosecuted the fur-trade with the Senecas, whose country he traversed on foot. Ably aided by De Tonti, his second in command, another barque was constructed on Lake Erie during the following  
 1679. summer,\* in which he embarked with forty men for Mackinaw.† But a fierce storm by water and hardships on land disheartened his followers, many of whom deserted him. Leaving De Tonti in command of a fort he had built on the Illinois, he returned to Frontenac for assistance and supplies, as he still,

\* Modern usage has abbreviated the long Indian name of Machilimakinac, given to the strait or river connecting Lakes Huron and Michigan into Mackinaw. I have used the latter phrase as much the more desirable. I likewise use the modern names of places, Indian tribes, &c., whenever it can be done with propriety. Many recent writers on Canada persist in using obsolete names for places and tribes, which only tend to confuse the reader. Even Warburton falls into this error very frequently, and applies terms to the Iroquois and other Indians, which were used by the old French writers and none others.

† A census taken this year gave 8415 souls as the number of French inhabitants in the colony.—Char. vol. i. p. 467.

with unshaken resolution, determined to persevere. He retraced his way westward with a reinforcement of twenty men, traversed the great "Father of Rivers" to its mouth, and 1680. after enduring hardships of the severest kind and encountering many dangers, returned to Quebec in the spring of 1683. He sailed soon afterwards for France, and found little difficulty in equipping an expedition to proceed to the Mississippi, consisting of four vessels and 290 men. Unfortunately the latitude of the river's mouth had not been correctly ascertained. He sailed one hundred leagues too far southward, formed a 1685. settlement in the Bay St Bernard, and was murdered by his mutinous followers, while wandering in the interior in search of the fabulous mines of St Barbe. His death broke up the settle- 1687. ment. Some died by hunger, others were massacred by the Indians; others again were encountered by the Spaniards, and sent to labour in the mines. Seven men only returned to Canada to relate the dreadful story of their misfortunes.\*

\* Smith's Hist. Can. vol. i. pp. 65, 66. Heriot's Hist. Can. pp. 151-159. Conquest of Can. vol. i. p. 297. Raynal, vol. iii. p. 462.

## CHAPTER IV.

THE GOVERNMENT OF M. DE LA BARRE.

NEARLY ten years had now elapsed since the accession of De Frontenac to the Government of the colony, yet he remained haughty and unyielding as ever. The Intendant, Du Chesneau, a man almost as despotic as himself, still darkened the pathway of his power, and time instead of diminishing had added to their mutual dislike. Both had their partizans at the French Court, and while the numerous complaints against the Governor had weakened the hands of his friends, the intrigues of the Jesuits placed Du Chesneau daily in a better position, till he came to be looked upon as altogether the aggrieved party. But finally, to terminate the difficulty and to gratify, in some measure, the Governor's friends, both were recalled. The Count had M. De la Barre for his successor: the Intendant, M. De Meules.

The new Governor entered upon his functions at a critical period for Canada. The transfer of the Dutch settlements in the State of New York to Great Britain, had placed a powerful and energetic rival in immediate communication with the Iroquois and the other Indian tribes. Trade had already taught the red man, who had intercourse with Europeans, to discriminate between the relative value of similar merchandise, and he soon discovered that the English traders sold much cheaper than the French. The Iroquois, who still cordially disliked the latter, were not slow to avail themselves of this circumstance to their disadvantage, and endeavoured to divert the current of trade from the St Lawrence to their own country. Nor were these politic people, who scarcely merit the name of savages at this period, by any means unsuccessful. They introduced the English traders among the western tribes, weakened French influence with the Ottawas and others of the north-west Indians, and thus gave a serious blow to the Canadian fur-trade at its very source. The murder of a missionary friar by the Senecas, isolated collisions with

French trappers, and occasional forays into the hunting-grounds of tribes friendly to France, displayed additional ill-feeling on the part of the Iroquois. Time had weakened their dread of "Ononthio," and although they were still unwilling to come to an open rupture, but little provocation was necessary to rekindle the flame of savage warfare along the St Lawrence.\*

In pursuance of his instructions from the King,† De la Barre promptly applied himself on his arrival to place public matters in a better position. He summoned a council of the chief men of the colony, which he instructed to report on the causes that had produced the present condition of affairs, and to state the remedies necessary to restore the country to prosperity. This report, after showing the crafty and selfish policy of the Iroquois, proved the necessity of additional reinforcements of troops and emigrants before offensive operations could be undertaken against them with any prospect of success; and that money also was wanting to build boats to navigate Lake Ontario, to erect magazines for provisions, and to cover the general expenses of the war, to which the resources of the colony were wholly inadequate.

The report met the approval of the Governor, who promptly forwarded it to France. Louis, now aware of the critical condition of his Canadian possessions, obtained an order from the licentious Charles to Governor Dongan, of New York, to maintain a good understanding with De la Barre, of which order the latter was duly made aware. A correspondence ensued between the two Governors, which, apart from courteous professions of individual good will, did not lead to very amicable results. Dongan was too desirous to retain the western traffic, now very lucrative, at New York, to pay much attention to the order of his sovereign. The Iroquois, knew well they had nothing to fear from him, and while De la Barre's courier was still on his return to Quebec, a scouting party 1683. of the Senecas attacked fourteen Canadian traders, seized their merchandise, and subsequently invested the French post on the Illinois river, which was gallantly defended by the Chevalier De Bangy.

These outrages, as well as intelligence that the Iroquois were secretly preparing for hostilities, and had already sent deputies to the Virginian Indians to prevent an attack from that quarter, left De la Barre no other alternative but war. He accordingly resolved to strike the first blow, and to carry hostilities at once into the Seneca

\* Doc. Hist. New York, vol. i. p. 96.

† Heriot's Hist. Can. pp. 161, 162. Smith's Hist. Can. vol. i. pp. 93, 94.

country. At the same time he sought to weaken the confederate Iroquois by endeavouring, although fruitlessly, to persuade the Mohawks, the Oneidas, and the Onondagas to remain neuter in the event of a war. Their mediation between the French and the Senecas, in the present emergency, was all these tribes would concede. If this was refused they avowed a determination to make common cause with their confederates, and stated, that in this case they had received assurance of ample support from New York.\*

The trading posts established at different points among the Indians of the north-west, gave the French so much influence in that direction that a body of 500 warriors was speedily drawn together to co-operate with the force, consisting of 700 militia, 130 soldiers, and  
 1684. 200 Indians, under the command of De la Barre, which moved upwards from Montreal on the 21st of July, *en route* for Niagara, where it was intended to penetrate into the Seneca country. But sickness among his troops and the want of provisions detained the Governor in the neighbourhood of Fort Frontenac, where he patched up a humiliating peace with the Onondaga, Oneida, and Cayuga Iroquois; one condition of which was that he should retire on the ensuing day. This he complied with, leaving the north-west Indians, much to their disgust, to return home from Niagara.

On the Governor's arrival at Quebec, he found that a reinforcement of troops and supplies had arrived from France, as well as despatches which placed him in an awkward predicament. The King supposed he was waging a successful war against the Iroquois, and that the 300 additional troops he now sent out would enable him utterly to extirpate them: or, at the least, to punish them so severely, that they would be glad to seek peace on whatever conditions he might think proper to impose. At the same time he instructed the Governor, "that as the Iroquois were stout and robust, and would be useful in his galleys, to make a great many of them prisoners, and have them shipped to France by every opportunity." Great, therefore, was the surprise of Louis, when he learned the true state of affairs from the account given by De la Barre himself, as well as from a lengthy report supplied by the Intendant, who placed the Governor's conduct in the most unfavourable light. De la Barre was immediately pronounced unfit for his post, and the Marquis De Denonville, an active officer, appointed to supersede him. At the same time, the Chevalier De Callieres, a captain of the regiment of Navarre, was appointed Governor of Montreal. His command was described as extending

\* Doc. Hist. New York, vol. i. pp. 109-139. Conquest of Can. vol. i. p. 309.



to Lake St Peter.\* He proved an able and judicious officer, and soon came to be regarded by the colonists with very great respect.

THE GOVERNMENT OF M. DE DENONVILLE.

A reinforcement of troops proceeded to Canada in the same fleet which brought out the Governor. The voyage had been long and boisterous, yet impressed with the urgency of affairs, De Denonville only allowed himself a few hours' repose at 1685. Quebec, till he departed for Fort Frontenac. On arrival there, he sedulously applied himself to learn the true state of matters with regard to the Iroquois, and the other Indian nations. The long and lucid reports which he furnished to the French court on this head display equal industry and ability, and possess much value as historical documents. He faithfully depicted the condition of affairs, and stated it would be more to the advantage of the colony to maintain peaceable relations with the Iroquois; but that their recent insolence of tone rendered war a necessary evil. To enable this to be carried on successfully, he strongly recommended the strengthening of Fort Frontenac, as the *point d'appui* of offensive operations; and the construction of another fort at Niagara to be garrisoned by 500 men, which would give the French the complete command of Lake Ontario, keep the Senecas, the most powerful of the Five Nations, in check, and prevent the Indian and Canadian trappers of the north-west from trading with the English. As the cost of maintaining this post would possibly be an objection to its construction, he proposed it should be rented. The merchants of Quebec highly approved of the Marquis's plan, and offered to supply the proposed fort with merchandise for nine years, and to pay an annual rent therefor of 30,000 livres.

The extensive preparations for war proposed by the Governor, as well as a demand for additional troops from France, would naturally lead to the supposition that he was about to attack a very numerous foe. Such was not the case. The population of a small Canadian town at the present day would outnumber the whole Iroquois nation, which scarcely amounted to 7000 souls. The Mohawk tribe could muster only 200 warriors, the Oneida 150, the Onondaga 300, the Cayuga 200, and the Seneca 1200.† But these were no ordinary men. In intelligence they were far superior to the uneducated

\* Heriot's Hist. Can. pp. 172-190. Colden, vol. i. p. 66. Hist. Brit. N. Amer. vol. i. pp. 181-183.

† Doc. Hist. New York, vol. i. p. 196.

peasantry of civilised Europe, while in their love of country, their natural eloquence, and their indomitable courage, they rivalled the chivalry of antiquity. If they wanted the discipline of the French, and could neither march in column of echelon, nor deploy into line with mathematical precision, they could use the musket far more dexterously, were infinitely better shots, and every way superior in desultory warfare.\*

As the plans of De Denonville met the approbation of his sovereign, the following year saw him busily engaged in making the necessary preparations to carry them out. Governor Dongan, of New  
1686. York, had already heard a rumour of the proposed fort at Niagara, and this circumstance, in connexion with the collection of extensive supplies of provisions at Fort Frontenac, convinced him that the Iroquois were about to be attacked, and the trade of his people with the west seriously interrupted. He promptly remonstrated with the Marquis, claimed the Iroquois as subjects of Great Britain, and expressed a hope that nothing would be done to disturb the amicable relations between their respective Governments. The latter replied by denying the claim of Great Britain to the sovereignty of the Five Nations; asserting that the French had possession of their country long before the British acquired New York. He added that the provisions collected at Fort Frontenac were intended for the supply of the garrison, without any view to a war with the Iroquois.

Dongan was too well acquainted with the policy of the Canadian Government, and saw too clearly its ambitious designs to, place any dependence on De Denonville's pacific assurances. Although obliged to act with extreme caution, owing to the new instructions of James II. to preserve a good understanding with the French, he resolved to maintain British supremacy, if possible, among the western Indians, and to retain a firm grasp of the fur-trade, in which freedom from monopoly had already given the New York and Albany merchants an immense advantage. He accordingly assembled the principal chiefs of the Five Nations at New York, and laid before them the line of policy he desired them to pursue. They were to cease all intercourse with the French; to make peace with the Hurons, and other north-west tribes, and induce them to trade with the British. They were further to aid him in establishing a post at Mackinaw; to recall the Christians of their people living at Caughnawaga; to compel the Jesuits to withdraw from amongst them; and to receive the missionaries he would send them. If they

\* Doc. Hist. New York, vol. i. p. 231.

complied with these demands, and were attacked by the French, Dongan promised his assistance. The politic chiefs did not entirely commit themselves to these measures. They were loath, as yet, to break wholly with the French; but, at the same time, they fully satisfied the English Governor of their desire to aid him in the greater part of his plans.

The return of the Onondaga chiefs from this council put Father Lamberville, a Jesuit missionary to their tribe, in full possession of the demands of Dongan, which he promptly communicated to De Denonville. The latter was thoroughly incensed, and prosecuted his preparations for war with additional vigour, being resolved to prove to the British, that even their support would not prevent him from punishing the Iroquois. By way of retaliation, one of his first operations in the spring of 1687 was the capture of nearly all the English trading posts at Hudson's Bay, with the exception of Port Nelson.\* This act of hostility was perpetrated in open violation of a treaty, just then entered into between the French and English Governments, to the effect "that whatever might occur between the mother countries the American colonies should always remain at peace." Unfortunately, the force of national prejudices, and the clashing of mutual interests, rendered this enlightened provision totally fruitless.†

Having received the expected reinforcements from France, and made every necessary preparation for war, De Denonville was guilty of an act of treachery which places his character in a very unfavourable light. Availing himself of the influence of Father Lamberville with the Onondagas, and that of the Jesuit missionary to the Oneidas, he induced several chiefs of these tribes and their immediate followers, amounting to fifty altogether, to meet him at Fort Frontenac to settle all disputes by a peaceable conference. These, on their arrival, to their utter astonishment, he caused to be seized, put in irons, and forwarded to Quebec, with orders to the commandant there to ship them at once to France to labour in the galleys, in obedience to the wishes of his sovereign. The rage and indignation of the Iroquois, when they heard of this outrage, were without bounds. The Oneidas seized their missionary, and condemned him to expiate

\* The English recovered their factories seven years afterwards; but the French soon got possession of them again. In 1696, two English men-of-war re-took them. In Queen Anne's war they were again taken by the French; but by the peace of Utrecht were ceded to the British.—*Smith's Hist. Can.*, vol. i. p. 75.

† *Her. Hist. Can.* p. 207. *Conquest of Can.* vol. i. p. 311.

his own presumed treachery, and that of his nation, in the flames. He was saved at the last moment by a Christian matron, who adopted him as her son. The chiefs of the Onondagas hastily assembled in council, and summoned Lamberville before them. When he saw the intense rage that was pictured in their faces, he thought his doom was sealed. But these red men of the forest, rude and uncultivated as were their understandings, proved themselves superior to the passions of the hour, and showed, by their conduct, how much more nobly they could act than the courtly and polished De Denonville. "There can be no question," said a chief, addressing himself to the terrified missionary, "that we are now in every respect authorised to treat thee as an enemy; but we cannot resolve to do so. We know thee too well not to be persuaded that thy heart had no share in this treason, of which thou hast in some degree been the cause; and are not so unjust as to punish thee for a crime of which we believe thee innocent." Apprehensive lest some of their warriors, in a moment of excitement, might do him injury, they compelled the Jesuit to depart immediately, directing the guides, which they gave him, to conduct him by unfrequented paths, and not to leave him till he was out of all danger.

Having collected his force, composed of 2000 regular troops and militia and 600 Indians, at Montreal, De Denonville pursued his march westward on the 11th of June. His principal object was to crush the power of the Senecas, and embarking his army in boats and canoes, in two divisions, at Fort Frontenac, he safely arrived at the Genesee River. Here, an intrenchment was hastily constructed to protect the stores and provisions, and a detachment of 440 men left to garrison it. From this point the French and their Indian allies marched forward on the 12th of July towards the Seneca villages, with a supply of provisions for fifteen days. During the first day the march was pursued without interruption through a comparatively open country. On the succeeding day they were not so fortunate. After being permitted to pass through two defiles in safety, the vanguard was vigorously attacked while marching through a third by a strong body of the Senecas. Three hundred of these boldy held the French in check, and threw their best troops into disorder, while 200 others, after delivering their fire, took them rapidly in flank. The Indian allies of the French, however, promptly checked this movement, and the Senecas were finally repulsed with a loss of forty-five killed and sixty wounded. On the side of the French six were killed and twenty-five wounded. In this engagement the Iroquois Christians particularly distinguished themselves, and were it not for them

and the other Indians, who restored the battle in their favour, it must have gone much harder with the French, as they were completely taken by surprise. A few of the north-west Indians from Mackinaw, who had effected a junction with the invading force, proved themselves genuine savages by devouring, after the battle, the bodies of the slain Iroquois.

Finding themselves unable to offer further opposition to the French, the Senecas withdrew into the recesses of the forest after destroying their villages. The greatest injury that could now be inflicted on them was the destruction of their crop of growing corn, and this De Denonville caused to be done in the most effectual manner. He likewise directed the destruction of a large number of hogs which, it appears, the Senecas possessed.

Having thus accomplished, as far as possible, the objects of the campaign, the Governor proceeded to Niagara, where he erected a wooden fort, in which he left a garrison of 100 men, under the command of the Chevalier De la Troye. Scarcely, however, had the army disappeared when this post was blockaded by the Senecas, who, thoroughly enraged by the losses they had sustained, missed no opportunity of revenge. Incessantly harassed by the enemy, the garrison had to keep themselves behind their defences, or run the risk of being murdered. Continual watching and fatigue produced disease, to which was soon added the horrors of famine, with abundance of fish in the waters near them, and the forests abounding with game. Ten men alone of the 100 survived: hunger and sickness carried off the remainder in a few brief months. And thus sadly terminated the second attempt at settling Niagara, which is now one of the most delightful districts of Canada West.\*

Governor Dongan was soon made aware of the disasters suffered by the Senecas, and an angry correspondence ensued between him and De Denonville. He assured the latter that the Five Nations would never make peace with the French, save on condition, that the Indians sent to the galleys, and the Caughnawaga proselytes were restored to their tribes, the forts at Niagara and Frontenac demolished, and the Senecas compensated for the damage they had sustained.† Nor was Dongan content with simple remonstrances. He clearly foresaw from the formal manner in which the French had taken possession of the territory of the Senecas, that they sought to establish a claim to its permanent sovereignty, while their acts

\* Doc. Hist. New York, vol. i. pp. 237-277. Heriot's Hist. Can. pp. 213, 214. Smith's Hist. Can. vol. i. pp. 79, 80. Conquest of Can. vol. i. p. 312.

† Smith's Hist. Can. vol. i. p. 80.

otherwise taught him that they only wanted the power, not the will, to establish their supremacy throughout the whole country. He felt that the time had now come for the British colonies in the north to strike for their very existence. His assurances of support raised the drooping spirit of the Iroquois; and after supplying them abundantly with arms and ammunition, he incited them to revenge the injuries they had sustained.

Meanwhile, a terrible malady swept over Canada, and carried death and mourning in its train. It prevented the Governor from making a second expedition the same summer against the Senecas, which he contemplated; and compelled him to remain nearly inactive, while he felt that a dangerous crisis was rapidly approaching. In November the Mohawks appeared before Fort Chambly; and, although the garrison beat them off, they could not prevent them from burning the farm-houses in the neighbourhood, and carrying the inmates into captivity. The French blamed Dongan for causing this inroad. No sooner had the latter learned their suspicions than, dreading reprisals, he caused Albany to be put in a better state of defence, and retained a strong body of Indians in the neighbourhood, during the winter, to cover it from an attack.

The following spring found the confederates thoroughly united in their hostility to the French. Still, they determined that if peace could be procured on the terms proposed by Governor  
1688. Dongan, of which they highly approved, they would not reject it. The mistaken policy of James II. compelled Dongan himself, at this time, to seek a peaceable result to the quarrel, if at all practicable; and, in obedience to the orders of his sovereign, he now counselled the Iroquois to come to terms with the French, provided they could do so with justice to themselves. They accordingly proceeded to Canada, prepared alike for peace or war. One thousand warriors established themselves at Lake St Francis, within two days' march of Montreal, whence they sent deputies to demand an audience of De Denonville, and to offer peace on the conditions proposed by Dongan, for the consideration of which four days only were allowed.

The Iroquois backed this high-handed diplomacy by warlike demonstrations of the most formidable description. Besides the force at Lake St Francis, whose neighbourhood filled the colonists with the direst apprehension, a body of 500 men swept the open country around Fort Frontenac, burned the farm-stores with flaming arrows, killed the cattle of the settlers, and finally closely blockaded the garrison. The French bowed before the storm they were unable

to resist. The humiliating terms offered by the Iroquois were accepted, and De Denonville was under the necessity of expiating his treachery, by requesting the authorities in France to return the captives to Canada, sent to labour in the galleys, that they might be restored to their friends. Deputies from all the Iroquois tribes were to ratify this treaty, which, it was stipulated by De Denonville, should also secure peace to the Indian allies of the French.

A cessation of hostilities immediately took place, and the Iroquois consented to leave five hostages at Montreal, to insure the safe-arrival of a convoy of provisions at Fort Frontenac, the garrison of which were already threatened with famine. It was further agreed upon, that if any hostile skirmishes should occur during the progress of the pending negotiations, no change, nevertheless, should be made in the conditions which had been stipulated.

The Abenakis, who inhabited the present State of Maine, and were the most inveterate of all the enemies of the Iroquois, refused to be a party to this truce. While the Governor was busy in his pacific projects, they advanced to the River Richelieu, surprised and defeated a body of Iroquois and their Mohigan allies, and pushed on to the English settlements, where they killed and scalped several of the inhabitants and burned their homesteads. But of all the Indian allies of the French, the Hurons were the most indisposed to a peace with the Iroquois. They had engaged in the war on the condition that it should not terminate until the total destruction of the Five Nations had been effected ; and now when they found that a peace was about being accomplished without even consulting them, they were indignant in the extreme. Their principal chief, Kondiaronk, was not slow to perceive that his nation, left to themselves, must feel the full vengeance of the Iroquois, and be thus sacrificed to benefit French interests. He promptly resolved to interrupt the negotiations, and secure the continuance of the war, and took the most effectual measures to accomplish his object. About thirty miles above Montreal, he awaited the arrival of the Iroquois deputies at a point where the rapids would compel them to land. Here their party, consisting of forty warriors, were either killed or captured on disembarking from their canoes. When his prisoners were all secured, Kondiaronk informed them that it was the French Governor who had ordered their attack. The Iroquois, shocked at this supposed second act of perfidy on the part of De Denonville, stated the object of their mission to the Huron, who then craftily expressed his regret for the act of turpitude of which he had been made the

instrument. Releasing his prisoners, he supplied them with arms and ammunition, and bade them return and inform their countrymen of the perfidy which had been committed. One prisoner alone he retained to replace a Huron warrior who had been killed. This man, on his return home, he handed over to the French commandant at Mackinaw, who, ignorant of the truce, ordered him to be put to death ; a fact of which the Huron chief caused the Iroquois to be apprised, in order to inflame their hostility still more.

No sooner had De Denonville been informed of the manner in which the deputies of the Iroquois had been treated, than he disclaimed all participation in the act, and assured these tribes that he would hang the Huron chief the moment he laid hands upon him. He expressed a hope, at the same time, that what had occurred would not prevent the progress of negotiations, and that they would send other deputies to conclude a peace. Meanwhile, the progress of the revolution which placed William III. upon the throne of England had released the Governor of New York from the unwise restrictions imposed upon him by James, and he now instigated the Iroquois, the majority of whom were only too willing of themselves

1689. to avenge their injuries, to retaliate on the French. On the 26th of July, 1000 of their warriors landed on the Island of Montreal, and dividing into small parties laid waste the country in every direction. Men, women, and children were ruthlessly massacred ; a detachment of one hundred soldiers and fifty Indians, sent to attack them, were nearly all killed or captured ; houses were burned ; every possible injury perpetrated ; and they finally quit the island laden with plunder, and carrying away many captives, having sustained in this irruption a loss of only three men.\* This terrible catastrophe filled the minds of the colonists with the greatest terror, a feeling which extended itself to the garrison at Fort Frontenac, who hastily deserted their post, (which was soon seized by the Iroquois,) and lost several of their number in shooting the rapids, their precipitate retreat preventing them from taking the proper precautions.

Thus closed in disaster and disgrace the government of De Denonville. Its commencement was signalised by an act of perfidy and partial victory ; its termination by misfortune and certain defeat. His sovereign, who had looked for the complete subjection of the

\* Bancroft, who is singularly incorrect occasionally, when he alludes to Canada, says that at this time the Iroquois captured the town and fort of Montreal, and that the settlement was broken up, neither of which was the case.—*Vide Ban. Hist. United States*, London Edition, vol. ii. p. 825.



Iroquois, and expected to see his galleys manned by their chivalry, chafed at his want of success, directed him to be recalled, and appointed Count De Frontenac to replace him.

#### THE SECOND GOVERNMENT OF THE COUNT DE FRONTENAC.

The increasing influence of the British colonists with the Iroquois, became at this period a source of considerable alarm to the Canadian authorities. The revolution in England, which placed that country in a hostile position to France and her colonies, added not a little to this feeling. The Chevalier De Callieres, who commanded at Montreal, had long been convinced that the security and tranquillity of Canada could only be preserved by crushing the power of the Five Nations; and as the English of New York openly avowed their alliance with them, he conceived the idea of first capturing their settlements. The Chevalier departed for France in the fall of 1688, to lay his plans before its Government, by whom they were approved, and instructions given to De Frontenac to carry them out. De Callieres proposed that he should have the command of 2000 regular troops, with whom he would march into the country of the Iroquois by the Richelieu River and Lake Champlain, with the apparent purpose of attacking them, until he arrived in the neighbourhood of Albany, when he would suddenly assault and capture that place. He stated that Albany was about the same size as Montreal, and in addition to a garrison of 150 men, had 300 inhabitants able to bear arms. It contained about 150 houses, and was defended by an earthen fort, mounting a few pieces of cannon, and wooden palisading. After capturing Albany, the Chevalier proposed to descend the Hudson and possess himself of New York, which he described as an open town, defended by a fort, and containing about 200 houses, with 400 men capable of bearing arms. As an additional inducement to the adoption of his plan, De Callieres urged that it would put the French in possession of the finest harbour in America; that it would prevent the Iroquois from getting further supplies of arms and ammunition, and thus effectually cripple them; and that, although a treaty of neutrality as far as regarded the colonies existed, the fact of the settlements in question being chiefly Dutch and Protestant, would lead them to join the Prince of Orange. He added, that if the present favourable opportunity were neglected, the Iroquois would soon destroy Canada, which must entail the loss of the posts at Hudson's Bay, the beaver and peltry trade, Acadia, and the

Gulf and Newfoundland fisheries, which produced several millions of livres annually to France.\*

The flight of James, and his subsequent determination to make a final effort in Ireland for the throne he had so cowardly abandoned, speedily involved England and France in a war, which removed whatever scruples might have been entertained by Louis XIV. and his ministers relative to the capture of Albany and New York. The prospective control of these settlements was given to De Callieres, to reward him for his plan of their capture and his meritorious services otherwise. He was directed, when established in his new government, to allow the English Roman Catholics to remain, and to banish the other English and Dutch inhabitants to Pennsylvania and New England, while the French refugee Huguenots were to be sent to France. But, if Louis was all-powerful in France, and alarmed Europe for its liberties, like the Nicholas and Alexander of our own times, a handful of half-naked savages in America set his power at defiance, and marred the best laid plans of his generals and himself. De Denonville had to crave the return of the kidnapped Iroquois—they no longer graced the galleys of France, and their countrymen had already retaliated a hundredfold the injuries and indignities they had sustained.

The Count De Frontenac sailed in the month of July 1689, a second time for Canada, in the fleet sent to operate against New York by sea while a French army assaulted it by land. He carried out with him troops and stores, and departed in high spirits to establish French supremacy in North America, and to crush for ever the power of the Iroquois. But De Frontenac was not insensible, high as his hopes and those of his sovereign were, to the caprices of fortune. Riper years had given him ripened wisdom, and he sedulously cultivated the friendship of the chiefs of the captive Iroquois, who returned in the same ship with him. One of these, Oureouhare, charmed by his manners, remained ever afterwards his steadfast friend, and was of the greatest use to him in the negotiations with his countrymen. His arrival at Quebec on the 12th of October confirmed the wisdom of this course. The first intelligence he received was the terrible irruption of the Iroquois on the Island of Montreal, the loss of his favourite fort, named after himself, at Cataragui, and the abandonment of Niagara; reverses that were only partially counterbalanced by the fierce inroads of the Abenakis in New England, and the success of Iberville in Hudson's Bay.

\* Doc. Hist. New York, vol. i. pp. 285-291. Smith's Hist. Can. vol. i. pp. 84, 85. Heriot's Hist. Can. p. 227. Conquest of Can. vol. i. p. 318.

Offensive operations were now out of the question. Apart from the lateness of the season, De Frontenac saw he must be content for a while to act on the defensive, and shortly after his arrival departed for Montreal, where his presence was necessary to revive the drooping spirits of the inhabitants, and regain the confidence of the Indian allies of the French, many of whom were now sensibly inclined to attach themselves to the Iroquois and the English. The Ottawas, one of the principal tribes of the north-west, even went so far as to send ambassadors to the Senecas to proffer peace and amity, and to restore the prisoners they had captured during the war. The French agents and missionaries strongly remonstrated against these proceedings, but without effect. The Ottawas replied, that they had already placed too much reliance on the protection of "Ononthio." They taunted the French, at the same time, with the tame manner in which they had borne their recent defeats; told them that instead of avenging their injuries like true warriors, they craved a dishonourable peace, to gain which they would even sacrifice their Indian allies; that their commerce was far less beneficial than that of the English; and that they sought to secure benefits by a peace, which they were unable to retain in war.

No sooner had De Frontenac become aware of this formidable disaffection, than he boldly determined to strike a blow at the English colonies that should restore the military reputation of the French with the native tribes, lead the Iroquois to accept the peace which he proffered them, and disturb the intrigues of the Ottawas and others who wavered in their alliance. He accordingly 1690. organised, in the month of January, expeditions at Montreal, Three Rivers, and Quebec, to invade the British settlements at different points; and sent instructions at the same time to Durantaye, who commanded at Mackinaw, to assure the Ottawas and Hurons, that in a short time the French would recover their ancient supremacy, and affairs be altered for the better.

The expedition organised at Montreal, consisting of about 200 men, half French and half Indians, under the command of De St Helene, a Canadian born officer, was destined for the capture of Albany. This force departed in the beginning of February, and after marching for five days a council was called to determine on the plan of operations. The Indians now ridiculed the idea of attacking Albany with such a small body of men, and advised an assault on the village of Schenectady, which was slenderly guarded in comparison. They arrived close to this place on the night of the 8th February, about eleven o'clock, without being discovered, and at first resolved to

defer the assault until two o'clock next morning. But the excessive cold admitted of no further delay, and they entered the village through the gateways, which the unfortunate inhabitants, in fancied security, had left open and unguarded. Anxious fathers slept; loving mothers had hushed their nestling babes to sleep, and slept also; and the silence was undisturbed of happy homes save by the monotonous breathings of peaceful repose. Presently the wild war-whoop of hostile Indians ring through that recently peaceful hamlet, and carries terror and dismay into its every dwelling. Startled mothers grasp their little ones in despair, or fall upon their knees to ask the protection of that Power who now alone could aid them; agonised fathers seize the first weapon at hand, and stand, like the lion rudely aroused from his lair, at bay, to defend their families. But the general defence was feeble in the extreme. A small fort at one end of the village was speedily carried by storm, and sixty men, women, and children were cruelly butchered in cold blood. Twenty-eight were carried away into captivity, and the settlement, which had eighty well-built houses, reduced to ashes. The French, laden with plunder, rapidly retired the ensuing day, after releasing the more helpless of their prisoners and twenty Mohawks, it being their policy to convince this people that the expedition was made wholly against the English. But the Mohawks were not so easily satisfied: they promptly essayed to restore the drooping spirits and revive the courage of their old neighbours. "We will avenge your wrongs," said they, "and not a man in Canada shall dare to go out to cut a stick." Succour soon arrived from Albany, and inclement as the season was, a body of Mohawks and a few troops were despatched in pursuit of the retreating enemy, who cut off twenty-five of their stragglers, and followed them almost to the gates of Montreal. The French and their Indians suffered severely from want of food, and were it not that they had captured some fifty horses at Schenectady, on which they subsisted as they found need, many of them must have perished from famine.\*

The party from Three Rivers led by Hertel, and consisting of but fifty-two men, of whom one-half were Indians, turned to the left from Lake Champlain, and surprised the village of Salmon Falls, on the Piscataqua. After a bloody engagement they defeated its inhabitants, burned the houses and the cattle in the stalls, and retired with

\* Doc. Hist. New York, vol. i. p. 297. Conquest of Can. vol. i. pp. 318, 319. Ban. Hist. United States, London Edition, vol. ii. p. 827. Smith's Hist. Can. vol. i. pp. 87, 88. Heriot's Hist. Can. p. 241. Hist. Brit. N. Amer. vol. i. p. 188.

fifty-four prisoners, chiefly women and children, whom they carried off despite the people of a neighbouring settlement, who had gallantly come to their rescue.

Returning from this expedition Hertel encountered a third party from Quebec, and proceeded with them to attack a fortified English post at Casco Bay, on the sea-shore of Maine, which they captured after having drawn fifty men of its garrison into an ambush, nearly the whole of whom they either killed or took prisoners.

But De Frontenac, who was but little disturbed by the horrors of the massacres at Schenectady and Salmon Falls,\* was fully sensible that something more must be done to regain the confidence of the north-west Indians, than simply re-establishing the military reputation of his nation in Canada. The great point was to render those Indians independent of English commerce, and to turn the current of the fur-trade once more down the St Lawrence. On the 22d of May a convoy of goods, guarded by 143 soldiers and a few Indians, was forwarded from Montreal for Mackinaw. Louvigny, who commanded the detachment, was intrusted with presents for the Ottawas and Hurons, and instructed to supersede Durantaye in command of the frontier posts, who was recalled, it was said, for no other reason than because he was too favourable to the Jesuit missionaries, against whom the Governor still entertained his old grudge.

On the second day after leaving Montreal, the convoy was fiercely attacked by a party of Iroquois in ambush, who were only repelled with the greatest difficulty. It finally reached Mackinaw in safety, just as the deputies of the Ottawas were about to depart to conclude a treaty with the Iroquois. The strength of the detachment, the large quantity of merchandise, the valuable presents to themselves, and the account of the recent successes of the French, had a powerful influence on these politic savages, and they hastened to give proofs of their renewed attachment to "Ononthio." One hundred and ten canoes, bearing furs to the value of 100,000 crowns, and manned by 300 Indians, were soon after despatched to Montreal to propitiate the Governor in their favour. The latter, who chanced to be there at the time, received the escort in the most gracious manner, made them presents, and exhorted them and their nation to

\* De Frontenac stands conspicuous among all his nation for deeds of cruelty to the Indians. Nothing was more common than for his Indian prisoners to be given up to his Indian allies to be tortured. One of the most horrible of these scenes on record was perpetrated under his own eye at Montreal in 1691.—*Col-den*, vol. i, p. 441.

aid him in humbling their dreaded foe, the Iroquois. They departed highly pleased with their reception, after renewing their former professions of friendship and regard for the French.

Still, the terrible war-cry of the Iroquois was continually heard in the Canadian settlements. Scouting parties of these fierce warriors burst from the recesses of the forests when least expected, and fell upon isolated posts and villages with destructive ferocity. The growing crops were destroyed, the farmers murdered, and small detachments of troops surrounded and cut off. This harassing mode of warfare, so well suited to the Iroquois, was a source of much uneasiness to De Frontenac. "You must either not be a true friend, or powerless in your nation," he said angrily to Oureouhare, who still remained in Canada, "to permit them to wage this bitter war on me."

But a still greater danger now menaced the French possessions on the St Lawrence. The British settlements, thoroughly aroused by the hostilities of the French and their allies during the past winter, resolved on the conquest of Canada. In April a small squadron sailed from Boston, which captured the greater part of the French posts in Nova Scotia and New Brunswick, and after the lapse of a month returned with sufficient plunder to repay the cost of the expedition. This success encouraged the people of Massachusetts, and their authorities issued circular letters to the nearest colonies, inviting their Governments to send deputies to New York, to deliberate on measures for the general safety. On the 1st May 1690, this first American Congress assembled, and promptly determined on the invasion of Canada. Levies were ordered to be made, the contingents of the several states fixed, and general rules appointed for the organisation of the army. At the same time a fast-sailing vessel was despatched to England, with strong representations of the defenceless condition of the British colonies, and requesting aid in the projected invasion of Canada. They desired that ammunition and other warlike stores might be supplied to their militia, and that a fleet of English frigates should co-operate with the colonial navy in the St Lawrence.

But Britain was too intent at this period on her own domestic struggles to heed the calls of help from her transatlantic offspring. The bloody battle of the Boyne had still to be fought, Aughrim was yet to be won, and Limerick surrendered, before William could turn his attention to French ambition in the New World struggling for possession of the hills of New England, the beautiful harbour of Manhattan, and the fertile valley of the Genesee. The British

colonists were thus thrown upon their own resources : still they were not dismayed, and resolutely determined to carry out their intentions. The plan of the campaign was simple, and carefully concealed from the Canadians. General Winthrop was to move upon Montreal with a force of 800 militia and 500 Indians, at the same time that a fleet of thirty-four vessels of various sizes, the largest of which carried forty-four guns, was to sail from Nantucket Road, near Boston, for the capture of Quebec. Nearly 1500 of the hardy sailors of New England manned this fleet, which had also 1300 militia on board, under the command of Major Walley. The chief conduct of the expedition was intrusted to Sir William Phipps, a man of humble birth, who had won his way to an exalted position among his fellow colonists, and now contributed largely from his own private fortune towards fitting out the fleet.

In the month of August De Frontenac first received the intelligence of approaching danger. He was still at Montreal providing for the safety of the settlement there, when an Algonquin announced that an army of Iroquois and English were constructing canoes at Lake George, which boded some enterprise against Canada. The Governor immediately summoned the neighbouring Algonquins and Hurons, and the Christian Iroquois to his assistance ; and with the tomahawk in his own grasp, old as he was, chanted the war-song and danced the war-dance in their company to animate their courage. But an incompetent commissariat paralysed the advance of Winthrop's army. Want of provisions compelled him to retire from Lake Champlain to Albany, leaving Major Schuyler, who had pushed on in advance to the attack of La Prairie, unsupported. The fort at this point, defended by a few Canadian militia and Indians, was speedily captured, and its garrison compelled to retreat upon Chambly. Succour from this post meeting them on the way, they halted and faced their pursuers, when Schuyler was forced to retreat in turn with the loss of thirty men killed and wounded.

The Indian spies of De Frontenac soon put him in possession of the retreat of Winthrop's force. Thus assured of the safety of Montreal he was about to return to Quebec, although still ignorant of the danger with which it was menaced, when he learned that a faithful Algonquin, hurrying through the forests in twelve days from Piscataqua, had announced the approach of a hostile fleet from Boston. That fleet without pilots now sounded its way cautiously up the St Lawrence, its officers and men, alike anxious for the result of the expedition against Montreal, watching wistfully the course of the

winds, and hoping in the efficacy of the prayers for their success that went up morning and evening from the Puritan hearths of New England.

Had the land expedition succeeded in reaching Montreal, and thus compelled the Governor to remain there for its defence, or, had fair winds wafted the fleet a few days sooner up the St Lawrence, Quebec must have been surprised and taken. But the inhabitants were already alarmed, and its commandant, Major Provost, vigorously applied himself to strengthen the defences against a sudden assault. After a brief pause at Three Rivers to direct the regular troops and militia to follow him as rapidly as possible, De Frontenac arrived at Quebec on the 3d of October, two days in advance of the fleet. The preparation for defence was now continued with unwearied industry. The militia of the neighbouring districts were directed to hold themselves in readiness to march as might be required ; a strong detachment moved down the river to observe the approaching fleet, and prevent a descent on the more exposed settlements ; and swift canoes were despatched to warn any French vessels coming up of the impending danger. Over 4000 regular troops, militia, and Indians, soon manned the defences of Quebec or covered its weakest points. There were nearly two to one against the men of New England ; an assault was therefore out of the question ; while a regular siege at that advanced period of the year was equally hopeless.

Early on the morning of the 5th October,\* many an anxious look was cast from the ramparts of Quebec on the white sails of the British fleet, as vessel after vessel slowly rounded the headland of Point Levi, and crowded towards the village of Beauport, on the northern bank of the river. About ten o'clock the British took in sail, and dropped their anchors, when their vessels swung round with the receding tide. On the following day Admiral Phipps sent a haughty summons to the French chief, demanding an unconditional surrender of the town and garrison in the name of King William of England. The messenger was conducted blindfolded into the presence of De Frontenac, who awaited him in the council room, surrounded by the Bishop, the Intendant, and all his principal officers. The English officer read the summons, laid his watch upon the table, and told the Count that he waited only one hour for a reply. The council started from their seats, surprised out of their dignity at a burst of sudden anger from their fierce old chief. "I do not acknowledge King William," said De Frontenac the moment he could master his

\* Hutchinson's Hist. Massachusetts vol. i. p. 399 ; and Major Walley's Journal of the Expedition.



rage sufficiently to speak, "and well know that the Prince of Orange is a usurper, who has violated the most sacred rights of blood and religion. I will answer your master by the mouth of my cannon."

It was now resolved to assault the town at once, and accordingly at noon on the 8th, the troops were landed without opposition, and advanced with spirit to the River St Charles, where they were attacked by a body of 300 militia securely posted among the rocks and bushes. A part of the British line, galled by this unexpected fire, fell back for a moment, but the officer giving the word to charge, they again rushed forward, and speedily cleared the ground.

In the afternoon four of the largest vessels moved boldly up the river and anchored within range of the town. They opened a spirited but ineffectual fire, their shot being directed principally against the lofty heights of the Upper Town, while a vigorous cannonade from the guns of the garrison replied with overpowering effect. Although his ships had suffered severely, Phipps, with pertinacious courage, renewed the action at daybreak on the 9th, but with no better results. About noon he saw it was useless to continue the contest longer, the fire from the town being much superior to that of his fleet, and directing the anchors to be weighed, the receding tide floated his crippled ships beyond its reach. During the action his flag was shot away, and floating towards the shore was borne triumphantly to land by a Canadian, who boldly swam out into the current to secure it. Hung up in the parish church of Quebec, this precious trophy remained for many years a memento of Admiral Phipp's defeat.

Major Walley placed his troops in battle array at daylight, but from some unaccountable cause, which he does not explain in his journal, he did not move towards the town until the action with the squadron had terminated. Some severe skirmishing occurred during the day, which resulted generally to the disadvantage of the British, and next morning, at a council held on board the Admiral's ship, it was decided to abandon the enterprise altogether. On the night of the 11th, the army re-embarked in the greatest confusion, leaving five guns and a quantity of ammunition and stores behind.

Defeated by land and water—damaged in fortune and reputation, the British chief returned homewards. But disaster had not yet ceased to follow him. The dangerous shoals of the St Lawrence and the storms of the Gulf wrecked nine of his ships. With the remainder shattered and weather-beaten, and his men almost mutinous from want of pay, he arrived at Boston, on the 19th of November,

to find an empty public treasury, and to cause the first issue of colonial paper money.\*

Thus ended in disaster and defeat a well-planned scheme, which only required energy, ability, and military discipline in its execution to be successful. Had Winthrop's corps been led by a more skilful officer, or had the force which appeared before Quebec been directed by wiser heads and stouter hearts, the results must have been very different, and Wolfe would never have created for himself an imperishable memorial on the heights of Abraham.

Great were the rejoicings at Quebec when the British fleet disappeared from before it. With a proud heart the haughty old Governor penned the despatch which told his sovereign of the victory he had achieved, and of the gallant bearing of the colonial militia. In the Lower Town a church was built by the inhabitants, and an annual festival established, to celebrate their deliverance ; while in France a medal commemorated the success of Louis XIV. in the valley of the St Lawrence. To add to the rejoicing, vessels expected from France reached Quebec on the 12th November, having ascended the Saguenay and thus escaped the British fleet. Their arrival, however, with slender stores of provisions only tended to increase the scarcity, then pressing upon the colony from an insufficient harvest, caused principally by the incursions of the Iroquois, and which necessitated the distribution of the troops in those districts where food could be most easily procured. The inhabitants, grateful for the valour which had saved them from the dominion of the hated English, met this new burden on their slender resources with the utmost cheerfulness.

While the result of the movement against Canada was still undecided, and a probability existed that the British would obtain possession of the French colonies, the Iroquois warily held aloof, or only gave sufficient assistance to save appearances, which was one reason why Winthrop had retreated, eighty of their warriors only having joined him instead of 500. The politic Confederates, much as they hated the French, did not desire to see their power entirely crushed, as they began at this period to entertain apprehensions of the rapidly increasing population and strength of the British colonies. But the cowardly retreat of Winthrop, and the defeat of the expedition under Sir William Phipps, convinced them that the French had really little

\* Smith's Hist. Can. vol. i. pp. 91-108. Conquest of Can. vol. i. pp. 321-327. Ban. Hist. United States, London Edition, vol. ii. p. 831. Hist. Brit. Amer. vol. i. pp. 181-190. Heriot's Hist. Can. pp. 255-262.

to apprehend from the raw militia and ill-directed efforts of the provincials. Accordingly in May, several hundred of their warriors again poured down upon the settlements near Montreal, and marked their progress with devastation and massacre. 1691. Smaller parties spread themselves along the fertile banks of the River Richelieu, burning the homesteads, and murdering the inhabitants. To repel these attacks the militia were hastily drawn together. One detachment of 120 men surprised a party of Iroquois on the Richelieu, and slew them without mercy, with the exception of twelve, who escaped into a farm-house. These defended themselves with the greatest courage, killed an officer, and wounded several of the militia ; and for a time it seemed as if the latter would be beaten by a few Indians posted in a ruinous dwelling. At length the building was set on fire, and the Iroquois as a last resource fiercely burst upon their enemies, and endeavoured to cut their way with their tomahawks, which five of them succeeded in doing. Of the remainder, two were killed, and five taken prisoners. The latter were tortured after their own cruel manner to restrain the incursions of their nation in future.

But this slight check only stayed the hostilities of the Iroquois for a brief period. In the latter part of July a strong body of their warriors, accompanied by some English militia and Mohican Indians, advanced upon Montreal with the intention of destroying the crops, the loss of which must have inflicted famine upon the colony. After capturing an important post at La Prairie, by a sudden and unexpected assault, and slaying several of the defenders, they fell back into the forest, where they met and destroyed a small French detachment, and shortly after boldly faced a strong force under the command of M. De Vairenes. For the full space of an hour and a half did these formidable warriors withstand the fire, and repel the charges of the Canadian troops, on whom, although ultimately compelled to retire, they inflicted a loss of 120 men in killed and wounded.

No sooner had De Frontenac received intelligence of this alarming inroad, than he promptly hastened to Montreal, where he found a despatch from the Governor of New York, offering an exchange of prisoners, and proposing a treaty of neutrality, notwithstanding the war between France and Great Britain. But the Governor mistrusting these proposals, they were not productive of any beneficial results, and he shortly afterwards returned to Quebec, having first, however, witnessed the gathering-in of the harvest in safety.

Although the Iroquois had been forced to retreat, yet fully sensible of the heavy loss they had inflicted upon the French, they were not

by any means discouraged. Led by a favourite chief, Black Caldron, they continued to make sudden inroads in every direction with

various results, and heavy losses to the French as well as  
 1692. to themselves. On the other hand, the Abenakis and French ravaged the frontiers of Massachusetts, and revenged upon its hapless borderers the injuries suffered by the Canadians, while detachments of troops swept the favourite hunting-grounds of the Iroquois, along the beautiful Bay of Quinte, and an expedition from

Montreal, led by De Mantel, did considerable injury to the  
 1693. Mohawks in their own country, but was severely harassed by the latter during its retreat.

This fierce and desultory contest rendered seed-time and harvest in Canada alike unsafe. Stone walls and armed fortresses alone gave security to the habitants, and the Iroquois' boast that "their

enemy should have no rest but in their graves," was almost  
 1694. literally carried out. In the following year, however, these warriors appeared to grow weary of the long contest and desire peace. The Onondagas, as usual, appeared most prominently in this friendly movement, and sent messengers to Montréal to ask De Callieres, now commanding there, whether deputies from the Five Nations bearing pacific overtures would be received. These messengers got a favourable answer and returned home ; but the deputies did not make their appearance until the beginning of August, when little was effected towards the establishment of peace, owing to the intrigues of the Abenakis, and the desire of De Frontenac himself to use his increasing power in crushing the Iroquois more effectually. The latter were not slow to comprehend the turn matters were taking, and endeavoured, by way of retaliation, to weaken French influence among their Christian countrymen of Caughnawaga, and partially succeeded.

Hostilities were again resumed. The Iroquois once more ravaged the open country at every undefended point, and when

1695. asked to renew their propositions for peace, haughtily required that the French, in turn, should now send deputies to treat at their villages, and cease hostilities in the meantime, not only against themselves, but with respect also to the English. De Frontenac resolved to repair and garrison the fort at Cataraqui, as the best means to curb the Iroquois of the Lake, and to form a secure base for the offensive operations he had planned against them. He adopted this course contrary to the express commands of his sovereign, and the advice of some of his principal officers, who represented the great expense this fort had formerly entailed upon the

Crown, and the disasters it had originated. But to these representations the obstinate old count paid very little attention, and in the latter part of July despatched 600 men, one-third of whom were Indians, under the command of the Chevalier Crisasy, to Cataragui to rebuild the fort. They fulfilled his orders with energy and skill, and Fort Frontenac once more menaced the Oneidas and Onondagas. The Iroquois retaliated by a descent upon the Island of Montreal, where, this time, they found the inhabitants fully prepared to receive them, owing to a timely warning of their approach, and were very roughly handled. Nor were they more successful towards the west. Cadillac, the commandant at Mackinaw, had induced the Ottawas and Hurons to make an irruption into the Seneca country, whence they brought a number of prisoners. In that direction, also, the Five Nations sustained a severe defeat from a body of Miamis and French. On the other hand they formed a peace with the Ottawas and Hurons, who had become much dissatisfied with the high prices of French merchandise, and desired to participate in the benefits of English commerce.

This conduct on the part of his western allies was a source of considerable uneasiness to De Frontenac, who used every endeavour to detach them from the Iroquois. His efforts met with only very questionable success, and to check this formidable disaffection he now resolved to carry out his project of invading the territory of the Five Nations, for which he directed immediate preparations to be made. While these were in progress, during the winter, a detachment was about to be marched into the Mohawks' 1696. country ; but intelligence was received that this tribe, aided by their European neighbours, had placed their villages in a thorough state of defence, and the design was abandoned.

In the month of July, every preparation having been completed, De Frontenac moved up the St Lawrence, from Montreal, with a force of 1500 regular troops, militia, and Indians, *en route* for Cataragui, where he arrived on the 18th. The army remained at this place, to rest and refresh themselves, until the 26th, when they departed for Oswego, which they reached on the 28th. Dragging their canoes and batteaux, or light boats, up the Oswego river, they finally launched them on the Onondaga Lake, on the shores of which two bundles of cut rushes informed them that the Iroquois knew their number, to be 1434, so vigilant were their scouts. The army landed on the southern side of the lake, and an intrenchment was at once constructed of felled trees and earth, to protect the baggage and provisions, which 140 men were left to guard. This duty

finished, the French proceeded cautiously towards the fortified villages of the Onondagas and Oneidas, their centre led by De Frontenac, now seventy-six years of age, who was carried in an arm-chair, while De Callieres commanded the left wing, and De Vaudreuil the right. But the Onondagas, satisfied that the invaders could not make a permanent conquest of their country, pursued their old policy of burning their villages on the approach of the enemy, and retreated into the recesses of the forest, whither they could not be pursued, leaving their crops of corn to be destroyed. A lame girl, found concealed under a tree, and a feeble old chief, whose infirmities prevented him from retreating with his tribe, were the only Onondaga captives made by the French. This gray-haired man, whom his own advanced years should have taught him to spare, De Frontenac handed over to be tortured by his Indians. Bravely did the withered sachem suffer, and fierce were the epithets he hurled at his tormentors, whom he derided amid his sufferings, "as the slaves of a contemptible race of foreigners." The French were more fortunate among the Oneidas, of whom they captured thirty-five prisoners. But beyond the destruction of their crops and dwellings, very little injury was inflicted on either them or the Onondagas. Their loss in men was trifling, and the Cayugas and Senecas remained wholly undisturbed.

On the 12th of August the army returned to Oswego, and on the 15th arrived at Fort Frontenac, whence they shortly after descended to Montreal, while bands of the Iroquois hung on their rear, and cut off stragglers whenever an opportunity presented itself. Nor did these tribes afterwards cease their incursions into the French settlements, till they found the frontier so strongly guarded that they could not carry off any important plunder. Unlike former times,

they were now unable to make any serious impression upon  
1697. Canada; and in 1697 appeared disposed for peace, the negotiations for which were opened through Oureouhare, still faithful to De Frontenac, and whose death for a while interrupted them. But the treaty of Ryswick terminated the war, in which Great Britain had engaged without policy and came off without advantage, and removed every difficulty in the establishment of peace between the French and English colonies and their allies. The English were the first who received intelligence of the treaty, and at once sent a deputation to Quebec, to propose an exchange of prisoners, both as regarded themselves and the Iroquois. The Governor, however, preferred to negotiate separately with the latter, and thus impugn their assumed sovereignty by the British. Of this sovereignty he found the Iroquois

to be not a little jealous, and did everything in his power to improve this feeling to the advantage of his countrymen.\*

While busily engaged in these transactions, and in taking measures otherwise for the benefit of the Colony, De Frontenac died in the seventy-eighth year of his age, having to the last preserved the great energy of character which had enabled him to 1698. overcome the many difficulties and dangers of his most adventurous career. He died, as he had lived, loved by some for his courage and military virtues, hated by others for his cruel temper and proud and overbearing manners, but respected and feared alike by friend and foe, and with the credit of having, with trifling aid from France, supported and increased the strength of a colony, which he had found on his re-appointment at the brink of ruin.†

\* Smith's Hist. Can. vol. i. pp. 125-145. Doc. Hist. New York, vol. i. pp. 325-345. Heriot's Hist. Can. pp. 313-344.

† Heriot's Hist. Can. p. 345. Conquest of Can. vol. i. p. 331. Hist. Brit. Amer. vol. i. p. 198. La Potherye, vol. i. p. 110.

## CHAPTER V.

### THE GOVERNMENT OF M. DE CALLIERES.

THE Chevalier De Callieres, Commandant of Montreal, who had already distinguished himself by important services in the colony, received his commission as Governor of Canada, to the joy of the inhabitants, by the first ship from France after navigation had opened. The negotiations with the Iroquois were still incomplete, owing principally to the intrigues of his predecessor to get them to acknowledge the French sovereignty of their soil, and received the immediate attention of the new Governor. The Earl of Bellamont, now Governor of New York, by insisting that the Iroquois as well as the English prisoners should be exchanged at Albany, sought to procure an admission from the French that these tribes were subjects of Great Britain. "That the Five Nations," said Bellamont, "were always considered subjects of England, can be manifested to all the world." But De Callieres proved more than a match for the Earl in this game of diplomacy. He flattered the pride of the Iroquois, by sending agents to the principal Onondaga village to treat of an exchange of prisoners, to settle the preliminaries of peace, and to induce them to send deputies to Canada for its final ratification, a course they ultimately pursued, despite the expostulations and threats of Lord Bellamont. During the summer the Onondagas and the Senecas sent envoys to Montreal 1700. "to weep for the French who had been slain in the war," and "to bury their hatchets, over which should run a stream of water, in the earth." Their arrival created a jubilee in the town, which they entered amid the pealing of artillery; a reception which piqued a Huron chief not a little, and who told the bystanders, "that fear made the French show more respect to their enemies than love did to their friends."

After rapid negotiations, peace was ratified by the Iroquois on one side, and the French and their allies on the other. "I hold fast the



tree of peace you have planted," said the politic De Callieres, addressing the deputies in their own figurative style, "and will lose no time in despatching an armourer to Fort Frontenac to repair your arms, and will send merchandise there also suited to your wants." "I have always been obedient to my father," said Le Rat, a Huron chief, "and I bury the hatchet at his feet." The deputies of the Ottawas and the other north-western tribes echoed his words. "I have no hatchet but that of my father, Ononthio," responded the envoy of the Abenakis, "and now he has buried it." The Christian Iroquois, allies of France, also expressed their assent to the peace. A written treaty was made, to which the deputies attached the symbols of their tribe. The Senecas and Onondagas drew a spider; the Cayugas, a calumet; the Oneidas, a forked stick; the Mohawks, a bear; the Hurons, a beaver; the Abenakis, a deer; and the Ottawas, a hare. The numerous prisoners on both sides were allowed to return. The Indians eagerly sought their homes, but to this conduct the greater part of the French captives presented a mortifying contrast. They had contracted such an attachment for the unrestrained freedom of forest life, that neither the commands of their King nor the tears and entreaties of their friends could persuade them to leave their savage associates.

The authorities of New York were highly indignant at the success of De Callieres in thus weakening British influence with the Five Nations. They correctly attributed the chief cause of this success to the influence of the Jesuit missionaries, who had acquired a strong hold on their religious sympathies, and never scrupled to use it for political purposes. Their indignation found vent in a law of their legislature, which directed the hanging of every "Popish priest" who should come voluntarily into the province.

The Governor promptly informed the French ministry of the conclusion of this advantageous peace, and urged that it should be improved to the ruin of British influence with the Five Nations. If a favourable arrangement of the boundary disputes could not be made, he urged that at least the country of the Iroquois should be declared neutral ground, and that both nations should not make any settlements among them. He likewise proposed that they should be left to their own choice in spiritual affairs, being fully satisfied they would prefer Romanist to Protestant missionaries. •

Still, the sovereignty of the Iroquois remained undecided. The British continued to penetrate through their country, and share in the Indian commerce of the west. But Canada 1701. preserved the mastery of the great lakes, and De Callieres, to

strengthen French influence, resolved on establishing a fort and trading post at Detroit. The Iroquois were soon apprised of this design, and remonstrated against it in strong terms. The Governor replied, "That as Detroit belonged to Canada, its settlement could neither in justice be opposed by the Five Nations nor the English; that his object in building a fort there was to preserve peace and tranquillity among all the western tribes;" and added, "that he was master in his own government, yet only with a view to the happiness of his children." The Iroquois were fain to be content with this answer, and in the month of June, De Cadillac, accompanied by a Jesuit missionary and one hundred Frenchmen, was despatched to commence a settlement at Detroit. Thus Michigan is the oldest of all the inland American States, with the exception of Illinois, whose colonisation had already been commenced by the unfortunate La Salle.

But while France was thus grasping a firm hold of the west, and establishing her supremacy more securely on the great lakes, events were in progress in Europe which threatened to defeat her plans. James II. had died at St Germans, and Louis XIV. raised the ire of the British nation by recognising his son as the legitimate ruler of the "three kingdoms." William III., although on his death-bed, was still true to his ruling passion of hostility to France, and formed new alliances, governed the policy of Europe, and shaped the territorial destinies of America. His death in March 1702, 1702. did not interrupt the execution of his plans, which the ministers of Anne ably carried out. From the pinnacle of power, and with every prospect of giving law to all Europe, the exploits of Marlborough and Eugene, the bloody fields of Blenheim and Ramillies, reduced Louis to the lowest condition, and at one time even seemed to place his very crown in peril.

But the gallant and prudent De Callieres was not fated to witness the reverses of his royal master, nor to see French influence weakened in America. He died on the 26th of May 1703, to 1703. the great regret of the people of Canada. Their sorrow for his loss was the best tribute they could pay to his worth. Although, probably, inferior to his predecessor in brilliancy of talent, his sound common sense, greater freedom from passion, honourable conduct, and chivalric courage, gave him great influence with the Indian tribes, as well as with his own people. While, far from being their tool, he wisely preserved a good understanding with the religious orders, now becoming formidable in the colony from their wealth and numbers. To him, however, they chiefly owed an edict

from the Crown, which limited their acquisition of real estate to a certain amount. This measure was rendered necessary by the rapid manner in which they were acquiring landed property by purchase, as well as by grants from private individuals.

THE GOVERNMENT OF THE MARQUIS DE VAUDREUIL.

The Marquis De Vaudreuil, who had succeeded De Callieres as Commandant of Montreal, became also his successor in the government of the colony, agreeable to the earnest petition of its inhabitants, with whom he had become a great favourite. He began his government at a hazardous period, nor did he prove himself unworthy of the occasion. The authorities of New York had no sooner learned the revival of hostilities in Europe, than they endeavoured to persuade the Iroquois to resume their ravages in Canada. This they flatly refused to do, and avowed their intention of respecting the peace they had entered into. De Vaudreuil promptly met these intrigues by despatching the Sieur Joncaire, long a resident among the Senecas, who had adopted him into their tribe, and who was much respected by the Iroquois, to the Onondagas, to confirm them in their alliance. He succeeded so well in his mission, that this tribe not only declared their intention of maintaining a strict neutrality and retaining the Jesuit Fathers among them, but they also conceded the sovereignty of their country to the French.

The English, on the other hand, were less successful in securing the neutrality of the Abenakis. This fierce tribe, instigated by the Jesuit missionaries, who made no scruple of their hostility against heretic Massachusetts, and aided by a detachment of French troops, swept the more exposed frontier settlements, and carried death and mourning into many a New England home. The whole country from Casco Bay to Wells was ravaged in every direction, and its inhabitants murdered without distinction. In the month of February Hertel De Rouville, with two hundred French 1704. and one hundred and fifty Indians, burst upon the settlement at Deerfield, crossed the palisades on the snow, which had rendered them useless, and massacred or carried off the inhabitants into captivity.

But while these terrible irruptions brought sorrow to the hearths of New England, Canada enjoyed profound repose, and was left to develop her resources as she best might. Freed from the apprehensions of Indian warfare, many of its inhabitants showed a greater disposition to ruin themselves in law-suits, than 1705. to enrich themselves by attending to their occupations. The Intend-

ant, M. Raudot, wisely applied himself to diminish this evil by promoting amicable arbitrations between parties at variance, and succeeded beyond his expectations. Nor was this the only benefit he conferred upon the colonists. They grew annually considerable quantities of flax and hemp, but were prevented by the most stringent laws from engaging even in the coarsest manufactures, which were jealously reserved to the mother country, and whither they were also obliged to send even their wool, to be re-shipped to them again in the shape of poor and costly fabrics. Raudot now proposed

1706. to the French ministry, that the habitants should be permitted to manufacture coarse stuffs for their own consumption. He stated the price of clothing had become so extravagant, owing to the loss of a vessel laden with goods for Quebec, and the risk of capture at sea, that the poor were utterly unable to provide themselves with even the coarsest apparel, and were almost in a state of nakedness. This appeal was irresistible, and from thenceforth the people of Canada were allowed "to manufacture in their houses home-made linens and druggets for their own use"—a liberty they gladly availed themselves of.

Trouble was in the meantime brewing among the western Indians, and hostilities at length broke out between the Illinois and  
1707. Ottawas at Detroit, which occasioned De Vaudreuil considerable trouble. A vigorous inroad into the country of the Illinois by Cadillac at the head of 400 men, speedily brought those savages to reason, and restored peace among the western tribes. During these difficulties the Iroquois observed a strict neutrality, to which the efforts of the Jesuit missionaries somewhat contributed. But to Joncaire this desirable result was principally owing. His knowledge of their language, which he spoke as well as themselves, his daring courage, his liberality and affable manners, rendered him exceedingly popular with the Iroquois, whom he gradually induced to regard the French with favour. But if the British lost ground in this direction, they succeeded in debauching the loyalty of the Christian Iroquois in Canada, numbers of whom by this time had become confirmed drunkards, the sale of spirituous liquors to the Indians having been revived in the most shameless manner.

De Vaudreuil, to prevent the further spread of disaffection, determined to assail the British colonies. In the spring of 1708,  
1708. at a war council held at Montreal, an expedition was resolved on against New England, to be composed of Indians and one hundred chosen Canadian militia volunteers. After numerous delays these began their march, led by Des Chaillons and Hertel De

Rouville, the destroyer of Deerfield, who had not yet wearied of slaying women and children. The Iroquois and Hurons soon deserted the expedition and returned home, and the Abenakis failed to join it at the appointed place. The design was to capture Portsmouth; but Des Chaillons and De Rouville finding their force now unequal to the enterprise, descended the Merrimac to Haverhill, resolving to attack a remote village rather than return to Canada as they came. At sunrise on the 29th of August, they moved forward to storm the fort, garrisoned by a few soldiers, which was carried after a fierce assault, while their Indians scattered themselves among the houses, and commenced their horrid work of murder and death. The sharp and constant ring of the musket and the smoke of the burning village alarmed the surrounding country, and the inhabitants boldly gathered to the rescue. The French now beat a hasty retreat, but had scarcely proceeded a league when they fell into an ambush. By a rapid charge they dispersed their antagonists, yet with a loss to themselves of nearly thirty men. They left Haverhill, so recently a peaceful and happy village, a mass of smoking ruins, and its green-sward red with the blood of its pastor and brave men, of women and mangled babes. New England bewailed this savage act; nor did it go unreprieved. "My heart swells with indignation," wrote honest Peter Schuyler of Albany to De Vaudreuil, "when I think that a war between Christian princes is degenerating into a savage and boundless butchery."

During this season of trial and disaster to the people of New England, many a wish was uttered for the conquest of Canada, as the only means of removing the danger that <sup>1709.</sup> hovered perpetually over their more exposed settlements. Queen Anne was not insensible to the sufferings of her colonial subjects, and readily listened to a plan by Colonel Vetch, who was well acquainted with the St Lawrence, for the capture of Montreal and Quebec. Vetch landed in New York on the 3d of May, and at once commenced preparations for an invasion of Canada by way of the Richelieu, which invasion was to be supported by a fleet from England in the St Lawrence.

De Vaudreuil received early intelligence of the threatened danger, and resolved to dissipate it by a counter-movement against the British colonies. On the 28th of July, De Ramsay, Governor of Montreal, proceeded with a strong force towards the British encampment near Lake Champlain. The French scouts brought intelligence that the enemy, amounting to 5000 men, was strongly intrenched. The Indians quailed at this news, refused to advance

farther, and the army retreated to Montreal. Nor were the preparations of the British colonies productive of more important results. Towards the end of September De Vaudreuil learned that their forces had retired from the lake, owing to sickness and the non-arrival from the mother country of the promised aid. The fleet destined for the attack of Quebec never crossed the Atlantic; it was sent to Lisbon instead, to support the waning fortunes of Portugal against the triumphant arms of Spain. The Iroquois also had played their English allies false. No sooner had they joined the British army, than perceiving it was sufficiently strong to take Montreal, they resolved, with their usual cautious policy, to maintain the strength of the European rivals, and thus preserve their own importance, and perhaps their very existence as a people. A small stream trickled by the camp; into this they flung the skins of the animals they killed. These under a burning sun soon infected the water, and many of the militia died from its use, while not the slightest suspicion was entertained of the true cause of the mortality.

But Britain had not abandoned the design of aiding weeping Massachusetts, and humbling the pride of Louis the Magnificent in the New World as well as in the Old. In September six

1710. English men-of-war, and thirty armed vessels and transports of New England, with four militia regiments under the command of General Nicholson, sailed from Boston for the conquest of Nova Scotia. In six days this fleet cast anchor in the noble harbour of Port Royal. With a garrison suffering from famine, and reduced by casualties and desertion to 156 men, Subercase, the French commandant, was speedily forced to surrender, and marched out with all the honours of war, to beg for food the next hour from his victors. In honour of the Queen the captured settlement was called Annapolis, a name it still retains.

Vaudreuil saw clearly the danger that threatened Canada, were the British to advance their possessions towards the St Lawrence. He accordingly appointed Castin, an energetic officer, to the government of Nova Scotia, and during the winter sent messengers over the snows, to press upon the Jesuit missionaries the necessity of preserving the zeal and patriotism of the Indian allies and French settlers in that region. But Castin was unable to restore the failing fortunes of the French on the sea-board, and from that day to this the Union Jack has floated over Annapolis.

Flushed with victory, Nicholson repaired to England to urge the conquest of Canada, while, at the same time, the Onondagas sent deputies to De Vaudreuil, to assure him that they remained faithful

to their treaty with the French, although their confederates were inclined to make common cause with the British. The legislature of New York had already appealed to the Queen on the dangerous progress of French dominion in America, and deputed Colonel Schuyler of Albany to present their address. "The French penetrate," it argued, "through rivers and lakes at the back of all your Majesty's plantations on this continent to Carolina, and in this large tract of country live several nations of Indians who are vastly numerous. Among these they constantly send agents and priests with toys and trifles to insinuate themselves into their favour. Afterwards they send traders, then soldiers, and at last build forts among them." Schuyler carried five sachems of the Iroquois with him to London. Dressed in black small clothes and scarlet mantles, coaches carried them in state to an audience with Queen Anne, and giving her belts of wampum, made of the most brilliant shells,\* they avowed their readiness to take up the hatchet, and aid in the reduction of Canada.

Bolingbroke planned the campaign and expressed "a paternal concern for its success." But while he could write brilliant treatises on philosophy, and successfully originate taxation 1711. of newspapers, he knew little of the colonies he proposed to succour, and lacked the requisite soundness of judgment and powers of combination to make that succour effectual.

At midsummer, Nicholson arrived in Boston with news that a fleet might soon be expected from England to aid in the reduction of Canada, and impressed upon the different colonies the necessity of having their militia contingents in readiness as soon as possible. On the 30th of July the whole armament sailed from Boston. The English fleet, consisting of fifteen ships of war and forty-six transports and store-ships, was placed under the command of Sir Hoven-den Walker. The land force, composed of five veteran regiments from Marlborough's army, and two colonial regiments, was led by Brigadier General Hill, brother to Mrs Masham, the Queen's favourite. This armament was nearly as strong as that which subsequently captured Quebec under the intrepid Wolfe, although its works in the meantime had been rendered far more formidable, while its defenders were much more numerous.† Upon the same day on

\* Wampum belts were made of beads formed from shells of different colours. These shells were also used as money by the Indians. The inhabitants of Hindostan use shells called cowries in lieu of small coin at the present day.

† Smith's Hist. Can. vol. i. p. 171. Canada in 1711 contained about 30,000 French inhabitants and 6000 Indians.

which the fleet sailed from Boston, General Nicholson proceeded to Albany, where in a short time he found himself at the head of 4000 Provincial troops and 600 Indians, prepared to move upon Montreal. In the west, the Foxes, desirous to expel the French from Michigan, appeared as the allies of the English to effect a diversion in their favour.

Intelligence of the intended expedition was seasonably received at Quebec, and the measures of defence began by a renewal of friendship with the Canadian and north-west Indians. Joncaire, at the same time, was successful in retaining the Senecas in neutrality, and the Onondagas remained faithful to their promises ; but the rest of the confederates ranged themselves on the side of the British. Leaving De Boncourt to strengthen the defences of Quebec, De Vaudreuil proceeded to Montreal, where he rapidly organised a force of 3000 soldiers, militia, and a few Indians, and placing it under the command of De Longueil, directed him to encamp at Chambly, and there await Nicholson.

Admiral Walker arrived in the St Lawrence on the 14th of August, and after lingering a few days in the Bay of Gaspe, owing to an unfavourable wind, proceeded up the river. Little was then known in England with regard to the peculiarities of the St Lawrence, and Walker, sharing the apprehensions of the vulgar, imagined that a current, where vessels floated on water one hundred fathoms deep, would be frozen to the bottom during winter, and puzzled his brains to know how he would preserve his ships. "To secure them on the dry ground in frames and cradles till the thaw," he sagely imagined to be the true mode of procedure.

On the evening of the 22d of August a thick fog came on with an easterly breeze. Next morning both the French and English pilots thought it right to bring the vessels of the fleet to with their heads to the southward, as the best course to keep the mid-channel and drive clear of the north shore. The day passed safely over, but just as Walker was going to bed, the captain of his ship came down to say that land could be seen, and without going on deck he wantonly ordered the fleet to head to the north. Goddard, a captain in the land service, at the instigation of the pilot, Paradis, rushed to the cabin in great haste, and importuned the admiral at least to come on deck ; but the self-willed man laughed at his fears and refused. A second time Goddard returned ; "For the Lord's sake come on deck," cried he, "or we shall certainly be lost ; I see breakers all around us." Walker came on deck and found he had spoken the truth ; "But still," the admiral exclaimed, "I see no land to the



leeward." Just then the moon broke through the mist and showed him his error. Now he believed Paradis, and made sail for the middle of the river, but not before eight ships had been wrecked among the reefs of the Egg Islands, and 884 men drowned. As soon as the scattered fleet was collected a council of war was held, at which the craven-hearted leaders voted unanimously "that it was impossible to proceed, and that it was for the interests of her Majesty's service that the British troops do forthwith return to England, and the colonial troops to Boston."\*

The failure of the expedition against Quebec compelled Nicholson to retreat. The French scouts soon brought intelligence of this movement to the camp at Chambly. For the moment the news was doubted: "it was almost too good to be true," and Hertel de Rouville was despatched with 200 men to procure more certain information. He marched far on the way to Albany till he was joined by three Frenchmen, set at liberty by Nicholson on his return, who told him of the consternation of the British colonists when they learned the misfortune which had befallen the fleet. Barques were soon despatched down the river from Quebec. At the Egg Islands the remains of eight large vessels were found, out of which the cannon and stores had been taken, and the many dead bodies that strewed the shores of the river told unmistakably the disaster which had befallen the British fleet.

In the west, however, new dangers menaced French power. The Foxes resolved to burn Detroit, and pitched their wigwams near the fort, now defended only by a score of Frenchmen. <sup>1712.</sup> But the Indian allies of the little garrison came to their relief, and the warriors of the Fox nation, instead of destroying Detroit, were themselves besieged, and at last compelled to surrender at discretion. Those who were found in arms were ruthlessly massacred, and the rest were distributed as slaves among the victors. Thus did the fidelity of their allies preserve Detroit to the French. Cherished as the loveliest spot in Canada, its possession secured the road to the upper Indians. Its loss would have been the ruin of the Canadian fur-trade, and shut out the French for ever from the great highway to the Mississippi. Still, these successes did not alter the great current of western commerce, which continued to flow steadily towards Albany and New York. The Indian loved the Frenchman as a com-

\* Admiral Walker's Journal, pp. 122, 123. Smith's Hist. Can. vol. i. pp. 167-177. Heriot's Hist. Can. pp. 399-404. Conquest of Can. vol. i. pp. 333-335. Brit. N. Amer. vol. i. pp. 201-303. Ban. Hist. United States, London Edition, pp. 853-858.

panion, but the British merchant paid a higher price for beaver, and self-interest, that great motive-power of human nature among the civilised and the savage, led him to prefer the traffic of the latter.

Weakened by defeat—driven back from the banks of the Danube, the Tagus, and the Po, Louis, now an old and feeble man, earnestly desired peace even on humiliating terms. The debility of France became its safety. England was satiated with costly continental victories, and public opinion demanded a peace. Marlborough, who hesitated not to say “that the enmity between France and England was irreconcilable,” was dismissed from power; the Whigs fell with him, and the Tories took their places to inaugurate a new era of peace. A congress of ambassadors assembled at

1713. Utrecht to regulate its conditions. Louis strove to preserve his Canadian possessions intact, but the sufferings of Massachusetts made Great Britain resolute to retain Nova Scotia, and finally it was fully ceded to her, with the fisheries of Newfoundland, the vast unknown regions of Hudson’s Bay, and the nominal sovereignty of the Iroquois.

The war had scarcely terminated when the active mind of the Canadian Governor began to devise means for strengthening the defences and peopling the colony, which instead of increasing, was actually decreasing in population. He stated to the French ministry that Canada possessed only 4480 inhabitants, between fourteen and sixty years, able to carry arms, while the regular soldiers barely amounted to 628. This small number of persons was spread over a country 100 leagues in extent. He added, the English colonies had 60,000 men able to bear arms, and that on the first rupture they would make a powerful effort to get possession of Canada. He proposed that additional troops should be sent out, and that 150 convicts should be shipped annually to this country, to aid in the labours of agriculture. Fortunately for Canada the latter proposition was never carried out, and she escaped the indignity and difficulty of becoming a penal settlement.

The bitter lesson which the Foxes had received at Detroit, instead of making the remainder of their tribe more peacefully inclined, thoroughly exasperated them against the French. 1715. Not only did they interrupt the trappers in Michigan, their native country, but they infested the routes leading to the distant posts of the colony, and inflicted all the injury possible upon the Indian allies of the French. The Governor at length detached a strong force to bring them to reason. Shut up in their fort, against which two field-

pieces were brought to bear, they finally offered favourable terms of accommodation, which were accepted. But they soon evinced little respect for the treaty they had been forced to enter into, and though greatly reduced in numbers, rendered the routes towards Louisiana unsafe, and ever after remained the deadliest enemies of the French. 1716.

The success of the expedition against the Foxes established peace in all the borders of Canada, and for many years it presented few events of importance to record. The attention of the Governor was now turned to the careless and improper manner in which notaries frequently performed their duties, and stringent regulations were made to correct this abuse. In 1717 considerable excitement was caused in the colony by the discovery of ginseng, a plant highly esteemed by the Chinese, in the forests, which for a time promised to be a valuable article of commerce. But the Canadians were unacquainted with its proper mode of preservation, and it soon became unsaleable. 1718.

The two succeeding years were alike barren of events. Charlevoix, one of the early historians of Canada, came out from France in 1720, remained here during the ensuing year, and visited the principal settlements, which he describes in his journal. Quebec embraced even then an Upper and Lower Town, and contained about 7000 inhabitants. Its best society, composed of military officers and nobles, was extremely agreeable, and he states that nowhere was the French language spoken in greater purity. Under a gay exterior was concealed a very general poverty. "The English," the Canadians said, "knew better how to accumulate wealth, but they alone were acquainted with the most agreeable way of spending it." The only employment suited to their taste was the fur-trade, the roving and adventurous habits of which they especially liked. They made money by it occasionally, which was usually soon squandered again in pleasure and display. Many who had made a handsome figure in society were now suffering pecuniary distress; still, while they curtailed the luxuries of their tables, they continued as long as possible to be richly dressed. Agriculture received very little attention, and the timber trade was yet in its infancy. 1721.

The banks of the St Lawrence for some distance below Quebec were already laid out in seigniories and partially cultivated. Some of the farmers were in easy circumstances, and richer than their landlords, whose necessities compelled them to let their land at low quit-rents. At one point Charlevoix found a baron, holding the office of inspector of highways, who lived in the forest, and derived

his support from a traffic with the neighbouring Indians. Three Rivers was an agreeable place, containing 800 inhabitants, and surrounded by well-cultivated fields. Its fur-trade had been in a great measure transferred to Montreal, and the iron mines had not yet been worked. He found the country thinly peopled as he ascended the river, till he arrived at the Island of Montreal, the beauties of which he describes in glowing terms. He does not state the population of the town, but very probably it was about 4000.

After leaving Montreal, he only met with detached posts, established solely for defence or trade. Passing up the river in bark canoes, he reached Fort Frontenac, which he describes as merely a small military station. After a tedious voyage along the shores of the lake, he came to a log block-house on the Niagara river, occupied by Joncaire and a few officers and troops, but saw neither a village nor cultivated fields. Passing up Lake Erie he visited Detroit and several of the stations on the upper lakes, but beyond small trading posts, encountered nothing worthy of the name of settlement. Such was Canada West 135 years ago: it now presents a very different aspect.

Hitherto the fortifications of Quebec had been very incomplete, but the French ministry now resolved to strengthen and extend them, agreeable to the plan of De Lery. Montreal was defended

1720. by wooden works, which were in a most dilapidated condition. Orders were given to fortify it with stone. The King advanced

1722. the money, but the town and seminary were to repay one half in annual instalments of 6000 livres. Barracks were likewise constructed for the regular troops. No provision was made, however, for the militia, who only existed in the colony from its necessities and the will of the Governor. As an institution in the State, they had never been recognised by any French law or edict.\*

Ten years' peace had added considerably to the trade and population of Canada. Nineteen vessels sailed this year from

1723. Quebec for the ocean. Six new ships were built for the merchant service, and two men-of-war. The exports to France embraced furs, lumber, staves, tar, tobacco, flour, peas, and pork; the imports from thence were wines, brandies, and cotton and woollen goods.

On the 10th of October 1725, the Marquis De Vaudreuil closed his useful career. The sorrow manifested by the people for

1725. this event, was proportionate to the satisfaction they had displayed when he was first appointed Governor. For the long

\* Smith's Hist. Can. vol. i. pp. 185, 186.

period of one-and-twenty years had he discharged his important duties with great loyalty, ability, and courage. His vigilance, firmness, and good conduct had preserved Canada to France through a disastrous war, and he went to rest from his labours with the blessings and regrets of a grateful people, who had enjoyed all the peace and prosperity possible under his rule.

#### THE GOVERNMENT OF THE MARQUIS DE BEAUHARNOIS.

When the death of De Vaudreuil became known in France, the Marquis De Beauharnois, a natural son of Louis XIV., received the appointment of Governor. He arrived in Canada early in May, and was almost immediately engaged in a warm controversy with Governor Burnet of New York, relative to a fort and trading establishment which the latter was constructing at Oswego, with the view of diverting still more of the Indian trade to New York. To prevent this result, the Governor despatched M. De Longueuil to the Onondagas to ask permission to erect a storehouse and fort at Niagara. The persuasions of the Jesuit missionaries readily induced them to give a favourable reply, and the French promptly applied themselves to profit by the privilege. Burnet, on the other hand, persuaded the Senecas to hinder the proceedings of the French, and this tribe at once sent a messenger to Niagara to require them immediately to desist, as the country where they were belonged to them and not to the Onondagas. Regardless of this demand, the works were pushed forward. Joncaire's great influence with the Senecas prevented their demolition, and finally reconciled them to French occupation of their territory.

Burnet finding himself unable to dispossess the French at Niagara, strengthened the fort at Oswego, which so enraged Beauharnois, that in the month of July he sent a written summons to the officer in command there to abandon it within fifteen days. He wrote to Burnet six days afterwards, remonstrating with him on the erection of this fort as being contrary to the treaty of Utrecht, which provided that the boundary lines of the British and French Colonies should be settled by commissioners, and claiming the land on either side of Lake Ontario as belonging to his nation. The English Governor replied in a polite but resolute manner, completely refuted his arguments, and presented counter-remonstrances against the proceedings at Niagara. Beauharnois retorted by a fresh summons to the officer commanding at Oswego, and another message to Mr Burnet, stating that hostile measures would be adopted if the fort were not abandoned and destroyed. The latter upon this threat

coolly reinforced the garrison, to secure it in the event of attack ; and so the matter terminated for the time.

Four years elapsed without producing a single event of note, and the Union Jack still floated at Oswego on the bracing breezes of the lake. Beauharnois had not carried out his threat of attack, but in order to repress the growing energies of the British Colonies, he now resolved on the erection of a fort at Crown Point, on Lake Champlain. Should a war again occur, he saw clearly that a military post there would place the French troops in such close proximity to the frontier settlements on the Hudson and Connecticut rivers, that great injury could be easily inflicted on them. At the same time it was an important step towards carrying out the plan, already conceived, of restricting the British Colonies to the sea-board.

The Government of Massachusetts speedily became alarmed.

Belcher, who was now at its head, sent a letter to Vandam, the Governor of New York, offering to bear one-half the expense of an embassy to Canada to forbid the construction of this fort, and pressing him to engage the opposition of the Iroquois, now beginning to be known as the "Six Nations." Vandam laid the letter before his council ; but a long peace had blunted its vigilance ; no action was taken thereon, and the French retained peaceable possession of Crown Point.

Enjoying profound repose, year after year now passed over the colony, without producing scarcely a single event of importance. The laws of France, with trifling modifications by royal decrees, were the laws of Canada ; which, unlike the Canada of the present day, was never disturbed by the quarrels of a local Parliament. The torpid repose, which it gained in this way, repressed the energies of its inhabitants, and perpetuated their natural easy and indolent manners, which three-quarters of a century of British freedom has not sufficed to remove.

An old writer\* on Canada fills up the historical blank that now intervenes, by detailing how the nuns of the General Hospi-

tal of Quebec began to adopt the lax manners of the colony, and mix in society contrary to their vows ; and how Louis XV. reproved them therefor, and compelled them to pursue a more decorous behaviour. There was, then, the difficulty about

the Bishop's Palace, which these nuns claimed as their property ; but royalty discountenanced their pretensions, and they had

\* William Smith, who was a Master in Chancery and Clerk of the Parliament of Canada after the Conquest. He narrates occurrences honestly, though not very clearly nor methodically.

to succumb. Meanwhile, Beauharnois diligently applied himself to forward the interests of the Colony, which now made rapid strides, in proportion to its former progress, in population and wealth. Cultivated farms gradually appeared along the St Lawrence from Quebec to Montreal, as well as upon the banks of several of its tributary streams. The absence of roads prevented settlement in the interior, and water was accordingly the only highway of the farmer. This led to the system, the evils of which is still felt in Lower Canada, of cutting up the farms into long narrow strips, having from one to three acres' frontage on the rivers, and extending inland from forty to eighty acres.

The French colonists during this prolonged interval of peace, appear to have entirely overcome the enmity against them, so long treasured up by a few of the principal tribes. Their pliant and courteous manners; their cheerful disposition; their frequent inter-marriages with the natives; and, in many instances, their actual adoption of the wild and stirring life of the Indian, rendered them far better fitted to secure his confidence than the staid British colonist. A very favourable change took place also as regarded the fur-trade in which the British merchants had so long had the advantage. The Government adopted a more liberal and equitable system of Indian traffic, which was now released in a great measure from the licensed monopolies, which had hitherto so injuriously affected it. A large annual fair was opened at Montreal, to which the Indians were invited to resort, and whither many of them came to dispose of their furs in preference to going to Albany.

Still, the progress of Canada was far inferior to that of its self-governed Anglo-Saxon neighbours. This was owing to a variety of causes, among the chief of which may be reckoned the absence of a local legislation, the seigniorial tenure system, the want of schools, the gay and indolent habits of the people themselves, their numerous religious festivals, and the equal partition of lands among the children of deceased parents, without regard to primogeniture. Not only were the lands of the seigniors divided in this way, but also the farms of their tenants, which were usually barely large enough for the support of a single family. This system, which did not even permit of alteration by will, proved a most effectual bar to the clearing of wild lands. The children, contented and indolent as their parents, instead of going forth to provide for themselves in new districts, settled down on the paternal farms, which were divided and subdivided amongst them to no end. The <sup>1744</sup> King sought to correct these abuses, by directing the Bishop of

Quebec to suppress a number of holidays, which, instead of being religiously observed, only led to drunkenness and disorder, and by issuing an edict preventing in future the erection of dwelling-houses

on tracts less than one and a-half acres in front by forty in  
1745. depth, under the penalty of one hundred livres and the demolition of the buildings.\*

In the meantime a storm had arisen in the political horizon of Europe, which once more threatened the rival colonies of the New World with the horrors of war. British commerce, now penetrating every quarter of the globe, refused to brook any longer the restrictions imposed by Spanish jealousy in South America. The English

1738. nation became clamorous for war, and the ministry giving way to the popular cry, strengthened the forces by sea and land, and prepared for hostilities. In 1739 war was declared in due form against Spain. Vernon captured Porto Bello and

1739. destroyed its fortifications, with scarcely the loss of a man; Anson swept the coasts of the enemy in the South Seas, surprised, with a few soldiers, Païta by night; and, after spending three days in stripping it of treasure and merchandise, set it on fire. He afterwards proceeded to Panama, and subsequently traversed the Pacific

Ocean till the long-looked-for Spanish galleon, the treasure  
1740. and cargo of which were valued at £313,000 sterling, hove in sight, which he carried a prize to England, and thus enriched himself and his officers.

These successes alarmed France, and Fleury, who, like Walpole, desired to preserve peace, was, like him, also overruled by the clamours of his rivals. France soon avowed herself the ally of Spain, whom she promised to aid with fifty ships of the line. But in taking this step all intentions of conquest were disclaimed. "I do not propose to begin a war with England," said Louis XV., "or to seize or annoy one British ship, or to take one foot of land possessed by England in any part of the world. Yet I must prevent England from accomplishing its great purpose of appropriating to itself the entire commerce of the West Indies. France, though it has no treaty with Spain, cannot consent that the Spanish colonies should fall into English hands." "It is our object," said Cardinal Fleury, "not to make war on England, but to induce it to consent to a peace."

Such was the posture of affairs, when, by the death of Charles VI., the extinction of the male line of the house of Hapsburg, raised a question on the Austrian succession. The treaty known as the

\* Smith's Hist. Can., vol. i. pp. 199, 200.



"Pragmatic Sanction," to which France was a party, guaranteed the Austrian dominions to Maria Theresa, the eldest daughter of the late Emperor, but this did not now prevent the sovereigns of Spain, Saxony, and Bavaria, from each laying claim to the empire. The opportunity was too favourable to gratify his hereditary hatred of Austria; so Louis forgot his pledged faith, neglected the advice of his minister, Fleury, and sought to place his creature, the Elector of Bavaria, on the throne of Charles. Scarcely had the Empress closed the eyes of her father, when the young king of Prussia, Frederick II., seized Silesia. Saxony demanded another part of her dominions, and presently Bavaria, backed by France, laid claim to her crown. The latter powers were at first successful in the war that speedily ensued, and Maria Theresa, driven from her capital, sought refuge with her son in her Hungarian dominions. Her misfortunes speedily produced a reaction in her favour. England, now ruled by George II., (who sought to shield his Hanoverian dominions,) avowed herself as the ally of the Empress. Sardinia <sup>1743.</sup> and Holland soon after declared themselves in her favour, and her misfortunes thawed even Russia into an acknowledgment of her claims. France, in return, declared war against <sup>1744.</sup> England, plotted already a change in its dynasty, and the establishment of the Pretender, Charles, on its throne.

In North America, New England sustained the first shock of war. While Canada and the central British provinces still reposed in tranquillity, and even in ignorance of the declaration of hostilities, a body of French from Cape Breton\* surprised the small English garrison of Canseau, and carried eighty men as prisoners to Louisburg. Annapolis, in Nova Scotia, was next assailed by a body of French Indians, instigated by the Abbe Le Loutre, their Jesuit missionary, and as the defences were in a most ruinous condition they were with difficulty repelled.

New England was speedily alarmed for the safety of her frontier, and resolved upon the capture of Louisburg, the great stronghold of France on her borders, as the best measure of protection. A majority of one vote, in the legislature of Massachusetts, <sup>1745.</sup> was cast in favour of the expedition. Governor Shirley had already solicited aid from England, and the other colonies were now appealed to. New York sent a small supply of artillery, Pennsylvania

\* The French had established themselves here after being driven from Nova Scotia, and strongly fortified Louisburg, its principal settlement, situated on an excellent harbour. The works were destroyed after it came into the acknowledged possession of the British at the peace of 1763.

gave provisions, Connecticut raised 516 militia, New Hampshire 304, while the forces levied by Massachusetts exceeded 3000 volunteers. Assistance was asked from Commodore Warren, then at Antigua, but on a consultation with the captains of his squadron, it was resolved, in the absence of orders from England, not to engage in the expedition.

A merchant, William Pepperell, of Maine, was appointed to the chief command, and counselled by Shirley to see that the fleet arrived together at a precise hour, to land the troops in the dark, and take the town and fort by surprise. The ice from Cape Breton was drifting in such quantities as rendered further progress dangerous, and the fleet was detained many days at Canseau, where it was joined by Warren, who had in the meantime received orders from England to render all the aid possible to Massachusetts.

An hour after sunrise, on the 29th of April, the armament, in a hundred vessels of New England, large and small, came in sight of Louisburg, defended by 163 guns and six mortars, and a garrison of 600 regular troops and 900 militia. On the other hand, the men of New England had only eighteen cannon and three mortars; but no sooner did they come in sight of the town, than letting down their whale boats they boldly pulled to the shore, and drove the French who came to oppose their landing into the woods. That night the garrison of a detached battery, struck with panic, spiked their guns and retreated into the town. It was promptly seized by the besiegers, who soon drilled out the cannon, and turned them on the French works. But this success was counterbalanced by the defeat of a night attack on a battery commanding the entrance of the harbour.

To annoy this battery earthworks were thrown up, and guns placed in position to play on it; while, at the same time, trenches were opened within two hundred yards of the town. Still no breach was effected, and the labours of the garrison were making the works stronger than ever. It was now agreed that the fleet should run in and bombard the town, while the land force entered it by storm. But Duchambon, the commandant, was ignorant of his duties, and the garrison were discontented. A French man-of-war, laden with stores, was decoyed into the English fleet, and captured in sight of the beleaguered town. This occurrence completely disheartened its defenders. The desponding Governor sent out a flag of truce, terms of capitulation were signed, Louisburg was surrendered with all its munitions of war on the 17th of June, and a New England minister soon preached in the French chapel. With Louisburg the whole

island passed into the hands of the British. When intelligence reached Boston that the strongest fortress in North America had fallen before the undisciplined mechanics and farmers and fishermen of New England, the town bells rung out a merry peal, and the people were almost beside themselves with joy.

The news of the capture of Louisburg created not a little annoyance at the French court, which for the moment vented its spleen by the recall of Beauharnois, and the appointment <sup>1746.</sup> of his successor in the Admiral La Jonquiere, an old man of sixty years of age. Orders at the same time were given for the equipment of an extensive armament to recapture Louisburg, and lay waste the British colonies. This fleet, consisting of eleven ships of the line and thirty smaller vessels, was ready for sea by the beginning of May; but contrary winds detained it in the harbour of Rochelle till the 22d of June, when it sailed for Nova Scotia. It was expected that the French inhabitants of that province, amounting to 15,000, would declare for the expedition on its arrival, which M. De Ramsay anxiously awaited on its borders with 1700 Canadians.

The fleet was only a short time at sea when it was separated by storms, and only a few of the ships arrived together at Chebucto, near Halifax, which had been appointed as the rendezvous. Here the Admiral of the fleet, the Duke De Anville, died of apoplexy, on the 16th of September, four days after his arrival. A council of war was now called at which the Vice-Admiral proposed returning to France, as only seven ships remained, and the greater part of the troops were on board the missing vessels. Governor La Jonquiere, who was with the fleet, on his way to Canada, opposed this course, and proposed an attack on Annapolis, to which the majority of the council agreed. The Vice-Admiral, whose health was already failing, was so disturbed by the determination of the council that he was thrown into a fever attended with delirium, and run himself through with his sword. Jonquiere succeeded to the command and proceeded to attack Annapolis, but a violent storm separating his ships, he was compelled to return to France.

These disasters did not, however, discourage the French Court, and a fresh armament was directed to be equipped for the attack of the British colonies, the command of which was <sup>1747.</sup> intrusted to Admiral La Jonquiere. With this fleet sailed another from Brest, which was to act against the British settlements in India. The English ministry, apprised of these measures, despatched Admirals Anson and Warren to intercept both fleets. This they effec-

tually accomplished off Cape Finisterre, on the Gallician coast, where they captured all the enemy's line-of-battle ships, and nine of the convoy. A considerable quantity of bullion fell into the hands of the victors, and the gratitude of their sovereign raised Anson to the peerage, and decorated Warren with the ribbon of the Bath. As Admiral La Jonquiere was among the numerous captives who graced the victory of the British fleet, the Count De la Galissoniere was appointed Governor of Canada, until his exchange could be effected.

## CHAPTER VI.

### THE GOVERNMENT OF THE COUNT DE LA GALISSONIERE.

NATURE denied to Count De la Galissoniere a commanding stature, or a handsome person, but in lieu of these it had given him abilities of a high order. No sooner had he established himself in his government, than his active mind led him to acquire a just knowledge of the climate of the Colony—of <sup>1747</sup> its population, its agriculture, and its commerce. He quickly perceived the advantages France must derive from the continued possession and extension of Canada, and proposed the adoption of a system, which, if properly carried out, must have prevented for many years, at all events, its conquest by the British. He urged the French Court to send out a good engineer to construct fortifications from Detroit to the Mississippi, and to colonise the west with ten thousand of the peasantry of France. This course would have effectually restricted the British colonies to the sea-board eastward of the Alleghany mountains. Its partial adoption only awakened their jealousy, and paved the way for the conquest of Canada. The firm hold which the French colonists and traders had acquired on the sympathy of the western Indians, and the disaster which befell Braddock, are evidences of the many dangers which must have threatened the British, had the Count's plans been ably carried out.

De Galissoniere judging that a peace would soon be established, and sensible of the importance, in the meantime, of giving well-defined boundaries to Canada, to prevent future disputes and support the pretensions of France, despatched an intelligent officer, with a guard of three hundred men, to take possession of the vast country west of the Alleghany mountains. These he desired to establish as the boundary of the Anglo-American plantations, and beyond which he denied their having any just claims. This officer was also directed to use his influence with the western Indian allies of the French to induce them to accompany him, in order to give a colour of justice,

so far as they were concerned, to his conduct; and further, to get them to promise, if possible, not to admit any English traders in future into their country. Leaden plates, on which the arms of France were stamped, were ordered to be buried at different points, as evidence that the district had been duly taken possession of, while notarial documents were to be drawn up on each occasion, to record, beyond dispute, the priority of French sovereignty. The Count sent a letter to Mr Hamilton, the Governor of Pennsylvania, apprising him of these measures, and requesting him in future to prevent his people from passing beyond the Alleghanies, as he had received orders from his Court to seize any British merchants found trading in a region incontestably belonging to France, and to confiscate their goods.

The "Treaty of Utrecht," which confirmed Nova Scotia to Great Britain, contained a stipulation providing for the free exercise of their religion by such of the French Roman Catholics as chose to remain in that province. Many availed themselves of this indulgence, took the oath of allegiance, and held quiet possession of their property. De Galissoniere, disappointed in procuring an extensive emigration from France, now conceived the design of withdrawing these settlers from under British rule, and forming them into a new colony on the isthmus connecting Nova Scotia with New Brunswick. Knowing the attachment of many of these people to their priests, he considered the latter the proper instruments to effect his object, and readily induced the Jesuit, Le Loutre, and several others, to persuade them to quit British territory. The Governor had soon the satisfaction of learning the success of his plans. Appealing to them as Frenchmen and Catholics, Le Loutre speedily induced several families to quit their Acadian homes, and join a settlement near the Bay Verte, which his zeal had already established.

France regarded with a jealous eye the British station at Halifax, so rapidly increasing in military importance and population, and De Galissoniere vainly hoped that the colony of Acadian refugees he was forming would lessen the danger of its neighbourhood. He laid his plans before the French ministry, who warmly indorsed them, and readily responded to his demand for a fund to enable him to carry them out, by an annual grant of eight hundred thousand livres. But while busily engaged in the execution of these schemes, the peace of Aix-la-Chapelle restored De La Jonquiere to liberty, when, by virtue of his commission, he proceeded to Canada to take possession of its government. Before the Count

sailed for France he furnished his successor with the fullest information respecting the Colony, and minutely detailed the plans which he conceived to be most beneficial for its advancement and prosperity.

THE GOVERNMENT OF THE MARQUIS DE LA JONQUIERE.

La Jonquiere did not pursue the course adopted by his predecessor, in reference to the Acadian French, as he considered it would most conduce to the benefit of the Colony to avoid any act which might lead to a new war. He supposed, too, that the limits of Nova Scotia, left unsettled by the recent peace, and which were already a source of dispute, would be duly arranged by the commissioners to be appointed for that purpose. This moderate course, it would naturally be presumed, ought to have met with general approval; yet so little was it relished by the ministers of Louis, that the Governor was reprimanded for not carrying out the plans of his predecessor, which he was now directed to pursue forthwith. In addition, he was instructed to take immediate possession of the Acadian isthmus with a sufficient body of troops, to build forts at the most favourable points, and to give every assistance to the Abbe Le Loutre.

In consequence of these orders, the Chevalier De la Corne was despatched to Acadia to choose a site for a fort, and fixed on Chediac as being advantageously situated for receiving supplies from Canada, as well as from France. But the Governor and Le Loutre, however, disapproved of this location as being too distant from the Acadian settlements; and it was resolved to erect one fort near the mouth of the St John, and another on the north side of the Messagouche, opposite the village of Chiegnecto, now Fort Lawrence.

Colonel Cornwallis, the Governor of Nova Scotia, had made repeated remonstrances respecting the course pursued by Le Loutre towards the Acadians, and his occupation of the isthmus, to which very little attention was paid. Believing that the boundaries would be amicably defined, he was loath to proceed to extremities, and the Abbe had accordingly been allowed to pursue his insidious course without interruption. No sooner, however, had La Corne appeared on the isthmus with a force of 1100 French and Indians, and avowed his intention of erecting a fort on the Messagouche, than Cornwallis resolutely determined to maintain the boundaries of Nova Scotia intact. The French occupied the village of Chiegnecto, and compelled the inhabitants to take the

oath of allegiance to Louis XV., in the beginning of winter, but still nothing could be done towards expelling them till spring. Cornwallis was not idle in the interval. The home Government was duly advised by him of what had occurred, and he solicited

Massachusetts for aid to expel the intruders, but met with  
1750. an unfavourable answer. Thrown upon his own resources, he could only muster four hundred men to check French aggression on his government. These arrived off the Messagouche on the evening of the 20th April. La Corne had already withdrawn to the north side of the river, after inducing as many as possible of the Acadians by threats and promises to accompany him. Still, several of the inhabitants of Chiegnecto clung to their homes, and refused to quit their fertile farms. The French officer, the man of blood, pitied and allowed them to remain. Not so with the Jesuit, Le Loutre. No sooner had the British appeared in the offing, than with his own hands he sacrilegiously applied the torch to the village church, and the flames rapidly spreading from house to house with the aid of his fellow-incendiaries, the homeless and desponding people had no alternative but to proceed to the French camp.\*

Major Lawrence, who commanded the force from Halifax, had an interview with La Corne as speedily as possible, and found him resolutely resolved to retain possession of every post north of the Messagouche, till the boundaries of the two countries should be arranged by commissioners. The French held a strong position; his force was far too weak to dislodge them; so Lawrence had no course open but to return. From Halifax news soon spread that the French held possession of British soil, that they had burned a British town, and incited the Acadians to acts of treason. The New England colonies heard the news with little emotion, but in England the Earl of Halifax insisted effectually that Cornwallis should receive aid.

In August a second expedition left Halifax to retake Chiegnecto. Le Loutre exerted his influence with the Indians and the Acadian refugees to oppose its landing, and La Corne covertly supplied them with arms and ammunition. Strongly intrenched they swept the beach with a steady fire as the British landed, and six of the latter killed, and twelve wounded, proved, although few in number, how resolutely they fought. The French had erected forts at the Bay Verte, at St John's River, and at Beau-Sejour. At the latter fort was La Corne's head-quarters, and here he had a fresh interview

\* Smith's Hist. Can., vol. i. p. 214. Bancroft's Hist. U. S. (Lon.) vol. iii. p. 48.



with Lawrence. "My orders," said the French officer, "do not permit of my crossing the river, and there is plenty of room at the other side for you." The English officer took the hint, and Fort Lawrence arose on the opposite bank of the Messagouche, both commanders remaining in peaceable possession of their respective posts till the next war.

But these were not the only events which bred bad blood between the British and French in this part of the world. An armed sloop was despatched from Quebec to St John's River, with stores for the garrison there, the captain of which was ordered to avoid all British vessels, but if attacked to defend himself to the last extremity. Rouse, in the *Albany*, encountered the French vessel off Cape Sable, captured her after a short action, and took her into Halifax, where she was condemned by the Admiralty Court, on the ground that she was taking supplies to an unlawful military post. French anger knew no bounds at this indignity, and the small cloud of war, already dimming the horizon, began to expand.

In the far west occurrences were also transpiring, which threatened the renewal of hostilities. Despite the claims so positively asserted by De la Galissoniere, with respect to French <sup>1751.</sup> sovereignty beyond the Alleghanies, the Governors of the British colonies continued to grant permission to their merchants to trade with the Indians of the Ohio. This trade La Jonquiere was instructed to interrupt as far as possible, and he accordingly had three of these merchants seized, and brought prisoners to Montreal, whither also their goods were forwarded. They were examined by a commission, and closely questioned as to their commerce with the western Indians, when they were discharged.

This high-handed exercise of authority created considerable surprise and indignation among the British colonists, and was looked upon by them as still more hostile, from the fact that commissioners had already been appointed by the French and English Governments to settle the boundary disputes. But these functionaries had scarcely commenced their duties at Paris, when they perceived there was little prospect of an amicable arrangement of the questions at issue, and that the sword alone could decide them. The Canadian Governor saw clearly that if a new war occurred the principal struggle would be in America, and he promptly represented to his Government, that if it was desired to retain the French possessions on the St Lawrence, troops and warlike stores must be speedily sent out. Nor even with the means at his command was La Jonquiere entirely

negligent of placing the defences of the Colony in a better position. A French schooner once more clave the waters of Ontario, and he endeavoured, so far as his insatiable avarice would permit, to have the forts at Frontenac, Toronto, and Niagara kept in repair. He endeavoured, also, to weaken the attachment of the Iroquois to the British; and, through the Jesuit missionaries, tampered so successfully with the Mohawks, that it required all the influence of Sir William Johnson to prevent them from openly attaching themselves to the French.

But while La Jonquiere was thus careful to provide for the military protection of the Colony, he permitted the grossest abuses to exist in its civil administration. Like the first servants of the English East India Company, the principal officials came to Canada, at this period, to amass fortunes, if possible, and then return home to enjoy them. This they could never accomplish from their salaries alone, which were ridiculously small, and justified in some measure the wholesale peculation so unblushingly practised. An extensive mercantile firm of the present day would pay larger salaries to its confidential assistants, than the nominal incomes of the dignitaries of Canada at this period. The Governor received for his services an annual stipend of some \$1300; out of which he was expected to clothe and pay a guard of twenty-seven soldiers; while the salaries of the whole civil list did not amount to \$20,000 per annum.\* This public parsimony paved the way for the grossest abuses. La Jonquiere himself, being of a narrow and excessively avaricious disposition, set the example of official peculation. He kept the nefarious traffic of supplying the Indians with brandy principally in his own hands, and belonged to a company, consisting chiefly of the principal officials, which monopolised nearly the entire trade of the Colony. Bigot, the Intendant, imitating the example of his superior, soon became rich by farming out the principal posts in the Indian country.

All the Government officials at this time appear to have been actuated by the same sordid motives, and we search in vain for purity of public conduct, or honesty of intention. The corrupt morals of the corrupt Court of Louis tainted Canadian society to the core, and the condition of things generally offered the most fitting commentary on the evils of unrestrained power, and the blessings of popular constitutional liberty. The Jesuit Le Loutre even went so far in his greedy thirst for gain, as to commit a cowardly murder to obtain the contract for supplying the post at St John's River with provi-

\* Heriot's Travels in Can., p. 78. Smith's Hist. Can., vol. i. p. 219.

sions ; a service he subsequently performed in such a manner as to yield him an enormous percentage, while the supplies were far less than they should be, and of the most inferior quality.\*

Complaint after complaint was despatched to France touching the speculations of the Governor and his creatures, and the ruinous state of things they were fast producing in the province. These complaints were at length so forcibly and pointedly pressed, that they reached the dull ear of the sensual Louis, and La Jonquiere, dreading an inquiry into his conduct, demanded his recall. Short as his government had been, he amassed, from commerce alone, over a million of livres ; and his wealth may be judged from the fact, that for many years his salary, pensions, and perquisites had amounted to sixty thousand livres annually. He was not fated long to enjoy the riches he had so carefully hoarded up, and died at Quebec in May 1752, before the arrival of his successor. During his last illness his ruling passion of avarice was strong as ever. He grudged himself the ordinary necessities of life, and on one occasion ordered the wax tapers burning in his bedroom to be changed for tallow candles, "as they were less expensive, and would answer every purpose equally as well." He was buried in the Recollet church, where those of his predecessors who had died in the Colony likewise reposed.

#### THE GOVERNMENT OF THE MARQUIS DU QUESNE.

On the death of La Jonquiere, Baron De Longueil, as the senior officer in the Colony, assumed the reins of government for a brief space till the arrival of the Marquis Du Quesne, who had been appointed, on the 1st March, Governor of Canada, Louisiana, Cape Breton, St John's, and their dependencies. The Marquis was a captain in the French navy, Major of Toulon, and possessed considerable ability : but his manners were austere and haughty, and promised little for his colonial popularity. The Count De la Galissoniere, who had procured his appointment, furnished him with the fullest information relative to his duties and the territorial claims of France ; and thus instructed he landed in August at Quebec, where he was received with the usual honours.

Du Quesne's instructions with respect to the disputed boundaries, were of so positive and aggressive a character, as to leave little room to hope for the continuance of peace. One of his first measures, therefore, was to prepare for war. He formed the militia of Montreal and Quebec into companies, and had them carefully drilled.

\* Smith's Hist. Can., vol. i. p. 217.

The militia of the country parishes were likewise organised in the best possible manner, and the regular troops thoroughly disciplined.

While matters on the Nova Scotian frontier gradually assumed a more peaceable appearance, they became more and more disturbed in the west. Virginia assumed the right to appropriate to her jurisdiction the country extending from the Alleghanies to the Mississippi, and the Ohio Company, with her express sanction, was already forming a settlement beyond the mountains. The commandant of Detroit promptly determined on the expulsion of the settlers, and two hundred and forty Indians and thirty French soldiers pushed up the Ohio to capture the Company's traders. Six of these had taken refuge among the Indians of a Miami village, who resolutely refused to give them up. An action at once ensued, in which one Englishman and fourteen Miamis were killed.

Intelligence of this affair alarmed Virginia, and Dinwiddie, its governor, made an elaborate report of the aggression to the British Board of Trade, and asked specific instructions to regulate his conduct in resisting the French. George II., now almost in his dotage, thought more of Hanover than America, and the Prince of Wales had not yet learned to value the colonies; but the Lords of Trade resolved to sustain the claims of Virginia to the valley of the Ohio, and determined on the immediate occupation of the eastern bank of its river. Influenced by their representations, the King, in council, decided that the valley of the Ohio was in the western part of the Colony of Virginia, and that the settlement of the French in that quarter was to be resisted as an act of hostility. Still little or nothing was done to place the British colonies in a position to sustain the war, in which it was plain this policy must speedily eventuate. The mother country was unwilling to incur expenses in extending the possessions of colonists, who, while they already resisted the royal prerogative on many grounds, were perfectly disposed to throw the burden of their defence upon the crown. Each colony, too, was a distinct government, and if its own borders were safe from attack, it gave itself as little trouble as possible about its neighbour. A few guns from the English ordnance stores was all the aid that Virginia received in her present emergency, and the English ministry, reminding her Governor of the numerous militia of his province, left to herself the conquest of the west.

But there were many astute minds in the British colonies which saw clearly the impending contest, and were desirous to prepare for the emergency. Kennedy, the Receiver-General of New York, urged through the press the necessity of an annual meeting of commis-

sioners from all the colonies at Albany or New York, to adopt measures for the general welfare. From upwards of forty years' observation of the conduct of provincial assemblies, and the little regard paid by them to instructions from their governors, he inferred that the British Parliament must compel them to pursue this course, and to contribute for the common defence. The clear-headed Franklin, on the other hand, advocated a federal union, voluntarily entered into by the colonists themselves, as preferable to one imposed by Parliament. "It will not be more difficult to bring about," said he, and "can be more easily altered and improved as circumstances may require and experience direct. It would be a strange thing if six nations of ignorant savages should be capable of forming a scheme for such a union, and be able to execute it in such a manner that it has subsisted for ages, and appears indissoluble; and yet that a like union should be impracticable for ten or a dozen English colonies, to whom it is more necessary and must be more advantageous."\*

Such was the posture of affairs in North America, when Du Quesne entered upon his government, and whose promptitude in carrying out his instructions speedily caused a hostile collision between the British and French in the west. In 1753 the Ohio Company opened a road from Virginia into the Ohio<sup>1753</sup> valley, and established a plantation on Shurtee's Creek, but left it exposed to the wavering jealousy of the Red men, and without protection against French encroachment.

Du Quesne had already been informed of the designs of the Ohio Company, and promptly resolved to anticipate and frustrate them. Early in the spring a strong body of troops and Indians passed upwards from Montreal, to reinforce the western posts, and establish forts in the valley of Ohio. A hunting party of the Iroquois on the St Lawrence speedily conveyed intelligence of this occurrence to their grand council at Onondaga. The Six Nations were opposed to the French occupation of Ohio, which this force evidently was intended to effect. In eight-and-forty hours relays of Indian runners conveyed the intelligence to Sir William Johnson, and urged him to protect their western allies, the Miami and the tribes of the Ohio. These were also speedily informed of the approach of danger, and their envoy met the French in April at Niagara, and warned them to turn back. At Erie a fresh messenger desired them to withdraw, but the French commander

\* The British Parliament subsequently rejected a union of this form, as tending too much to increase the power of the colonies.

threw back his belt of wampum in contempt, and told the astonished chief "that the land was his, and that he would have it, let who would stand up against it." True to his word, fortified posts were established at Erie, at Waterford, and at Venango, and preparations made to occupy the banks of the Monongahela and the Ohio.

Dinwiddie, of Virginia, now felt that the time had come for decisive action, and he resolved to send "a person of distinction to the commander of the French forces on the Ohio, to know his reasons for invading the British dominions while a solid peace subsisted." The envoy whom he selected for this mission was George Washington, then just twenty-one years or age, who promptly set out on his perilous winter's journey, guided by Christopher Gist, the agent of the Ohio Company, and accompanied by an interpreter and four attendants. On the 29th of November he was present at a council of the Delawares and Shawnees, at which it was agreed to give a third warning to the French to quit their country, and if they refused, to solicit the aid of the Iroquois to expel them. Washington then proceeded to Venango with the deputies of the Ohio Indians. The French officers there made no secret of the intention to take possession of the Ohio, and intimidated the envoys of the Delawares by boasting of their forts at Waterford and Erie, at Niagara, at Toronto, and at Cataraqui.

From Venango Washington proceeded to Waterford, where he found Fort Le Bœuf defended by cannon. Around it stood rude log cabins which served as barracks for the soldiers, and close by were fifty bark canoes and one hundred and seventy boats of pine, prepared for the expedition to the Ohio. The commander, St Pierre, distinguished for his courage and resolution, refused to discuss the question of the French right of possession. "I am here," said he, "by the orders of my general, to which I shall conform with exactness and resolution. He has ordered me to seize every Englishman in the Ohio valley, and I will do it."

Washington now turned his face homewards towards Virginia. Passing down French Creek, he reached Venango to find his horses weak and unfit to travel. Heedless of a driving storm he pressed forward on foot, and with gun in hand and a pack on his back, quit the usual path the day after Christmas, and, with Gist for his sole companion, by the aid of a compass, steered the nearest way across the country for the Fork. An Indian who

had waylaid him fired at him from the distance of fifteen paces, missed him, and became his prisoner. Gist would have killed the assassin, but Washington spared and dismissed him. They travelled all that night and the next day, and not till dark did they think themselves safe enough to sleep. Clearing away the snow, the weary wanderers now built a camp fire, and laid down to repose with no shelter but the leafless forest tree. Arrived at the Alleghany they endeavoured to cross its waters on a raft, the result of a day's labour; but before they were half way over, they were caught in the running ice, and carried down the stream. Washington putting out a setting pole to stop the raft, was jerked into the deep water, when they were compelled to make for an island, where they built a fire and dried themselves. The night was intensely cold: in the morning they crossed the river on the ice: but not till they reached the settlement on Shurtee's Creek were their hardships terminated.

Washington's report was followed by immediate action. The Ohio Company made preparations to build a fort at the Fork, and he was sent to Alexandria to enlist recruits. Governor Dinwiddie, in the meantime, applied to England and the <sup>1754</sup> other colonies for assistance, but received very little from either one or the other. He persevered in his plans, nevertheless, and sent Washington, now a lieutenant-colonel, to finish the fort begun at the Fork of the Ohio, and to hold it to the last extremity. But while Washington was still on his way thither, the French, led by Contrecoeur, came down from Venango, drove thirty-three Englishmen, who were working on the fort, away, finished what they had begun, and named it Fort Du Quesne. The near forest trees were felled and burned; log cabins covered with bark were built to shelter the troops; and wheat and maize planted to supply them with food.

An Indian scout of the Mingoes soon apprised Washington of these occurrences, and implored his assistance to expel the French. But his raw recruits had their few cannon to bring on, deep streams to ford, and could only advance very slowly. On the 25th June another scout brought the intelligence that a party of French were advancing towards them, and advised them to beware. That night this party concealed themselves among rocks, but the sharp eyes of the Mingoes discovered their trail, and brought Washington upon them. They saw the English approach, and sprang to their arms. "Fire," said Washington; and he raised his own musket to his shoulder and showed his men how to obey the order. An action of about a quarter of an hour's duration ensued, in which ten of the

French were killed, and twenty-one taken prisoners. And thus George Washington struck the first blow in a war which led to the expulsion of France from North America, and paved the way to the independence of the United States. From first to last he was the most conspicuous actor in the drama, which altered the relations of civilised humanity.

Contrecoeur, who still commanded at Fort Du Quesne, was no sooner made aware of the fate which had befallen his detachment, than he at once assembled his garrison and Indian allies, and incited them to revenge. Washington had already constructed a stockade at Great Meadows, which he called Fort Necessity, and which he had unwisely placed between two eminences covered with trees. Here he was besieged, on the 3d of July, by six hundred French and one hundred Indians, who, posted securely behind the trees on the heights, fired from their shelter on the troops beneath. For nine hours, however, did Washington animate his raw recruits to resistance ; nor did he surrender till he had thirty men killed and several wounded, while the French had only lost three of their number. On the 4th of July the English garrison, retaining all their effects, withdrew from the basin of the Ohio ; and westward of the Alleghanies no flag floated but that of France.

Meanwhile, commissioners assembled at Albany from the colonies north of the Potomac, to adopt measures for the general safety in the approaching war. To this congress were admitted the deputies of the Six Nations, who, indignant at the unseemly squabbles which had so long prevailed, recommended union and action. "Look at the French," bitterly said a Mohawk chief ; "they are fortifying everywhere. But we are ashamed to say you are like women without any fortifications. It is but one step from Canada hither, and the French may easily come and turn you out of doors." The cautious Iroquois strongly distrusted the result of the approaching struggle, and fully one half of the Onondagas had already withdrawn and joined a French settlement at Ogdensburg on the St Lawrence. But the commissioners effected little or nothing towards the general defence. Franklin proposed a federal union, which was strongly opposed by other members of the congress, but finally adopted with modifications ; yet nothing was done towards the establishment of a general revenue ; and it was evident, that without the aid of Great Britain, her American colonies would not be able to drive the French from the Ohio, or share much longer in the commerce of the great lakes. The mother country gave that aid ; and who will gainsay that it was not repaid with ingratitude ?



When the English ministry were apprised of the capture of Fort Necessity, and the occurrences which preceded it, they were extremely undecided what course to pursue. Newcastle, the Premier, sent pacific assurances to the French ministers, who were now very unwilling to enter into a new war, and left the entire conduct of American affairs to the Duke of Cumberland, then commander-in-chief of the British army.\* Fond of war, and covetous of military renown, the latter entered on his new career with eager ostentation. One of his first measures was to appoint Edward Braddock to the command of the American army. It proved an unfortunate choice. A martinet in matters of discipline, Braddock was far from being a skilful general; and being of rough manners and despotic temper, he was wholly unsuited to conciliate the colonists. Nor did the Duke apply himself in the least to cultivate their good graces. The idea was foreign to him of a people accustomed to wield fire-arms from boyhood, and he committed the mistake of comparing the backwoodsmen of Virginia and Pennsylvania with the peasantry of England. "He had only confidence," he said, "in regular troops," and directed that the generals and field-officers of the Provincial forces should be ranked beneath the royal subalterns. Disgusted at being thus arrogantly spurned, Washington retired from the service, and his regiment was broken up.†

General Braddock arrived in New York towards the end of February, and one of his first measures was to summon the governors of the different British colonies to meet him at <sup>1755</sup> Alexandria, in Virginia, on the 14th of April, to concert a plan of operations. Four expeditions were there determined on, yet not with the view, it was alleged, of making war on France, but to establish the British interpretation of the boundary disputes. Lawrence, the lieutenant-governor of Nova Scotia, was to drive the French from the Isthmus and St John's River; William Johnson was to conduct an army of provincial militia and Indians against Crown Point; Governor Shirley, of Massachusetts, proposed to win laurels by the capture of Niagara, while Braddock himself was to recover the Ohio valley and the north-west.

The departure of General Braddock from England, and that of the two regiments of the line which accompanied him, alarmed the

\* Lord Mahon's Hist. of England, vol. iv. p. 72.

† From the positions subsequently held by many of the colonial officers, and by Washington among the rest, it is evident that this order was never strictly carried out. Even Braddock speedily saw its folly, and gave Washington a post on his own staff.

French Court, despite the pacific assurances of the English ministers, and it was determined to send out additional troops to Canada. The French fleet sailed from Brest in the month of April, and the English ministry, although no declaration of war had yet taken place, resolved to have its motions watched by a competent force. For this purpose Admiral Boscawen sailed from Plymouth with eleven sail of the line, and encountered three of the French fleet off the Banks of Newfoundland, two of which, the *Alcide* and the *Lys*, were captured; the third, being a good sailer, made her escape. The remainder of the French fleet, favoured by a fog, arrived in due time at Quebec. It brought out a new governor to Canada, in the person of the Marquis De Vaudreuil, the son of the former governor of that name, and who had been born and served long in the Colony. Du Quesne had already resigned, being desirous to resume his post in the navy.

#### THE GOVERNMENT OF THE MARQUIS DE VAUDREUIL.

The arrival of De Vaudreuil was gladly hailed by the Canadian people, who hoped to enjoy under his rule the same prosperity and peace which had characterised his father's government. But in this respect they were sadly deceived. The new Governor was too familiar with the corrupt manners of the day, to resist the sinister influences by which he was speedily surrounded on his arrival. For the preceding two years many of the inhabitants had been engaged in expeditions in various quarters, their lands had, therefore, been left uncultivated, and they were now threatened with famine. The company which had monopolised the trade of the Colony during La Jonquiere's government was still in existence, and De Vaudreuil was speedily won over to wink at its extortions. Perceiving the likelihood of a scarcity, this company had bought up large quantities of flour, which they sold back to the people again at an immense advance, and even sought to increase the prices of food, and consequently their own profits, by procuring the shipments of wheat to the West India Islands. Nor was this the only way in which the people suffered. Bigot, the Intendant, who after being for some time in France had again returned, connived at the robbery of the farmers in the most shameful manner. He issued an ordinance to compel them to sell their grain at a low fixed price, under the pretence that they had caused the scarcity, and then sent his creature, Cadet, through the country to enforce it. The latter scoured the settlements in every direction, and took the grain by force when the inhabitants declined to sell it. Numerous complaints were made

against him ; but the Intendant refused to hear them, and referred the parties to a member of the company, who threatened them with imprisonment if they did not keep quiet ; which the helpless people were thus compelled to do.\*

Such was the degrading condition of the inhabitants of Canada at this period. With famine already afflicting them, they were now threatened with the miseries of war, and suffered, in addition, all the evils of a most corrupt administration. Happy indeed is the present condition of the Canadian habitant when compared with the past. The conquest of Canada won true freedom for him, and gives him a more genuine liberty than his race enjoys in any other part of the world. Self-ruled, "he sits under his own vine and fig-tree," and no official, like the Bigot or Cadet of past times, dare lay an illegal finger on his property.

On the 5th of May, Braddock joined the main body of his army near Fort Cumberland, and found himself at the head of a force of two thousand three hundred men, which embraced the 44th and 48th regiments of the line, with twelve pieces of artillery. Here, owing to the want of carriages, horses, and provisions, he was detained till the 10th of June, when he pushed forward towards Fort Du Quesne. Learning on the way that its garrison expected speedy reinforcements, he selected twelve hundred men and ten guns, and pushed boldly on through the solitudes of the Alleghanies. Colonel Dunbar, with the rest of the army and the heavy baggage, followed as he best might. Braddock's march was conducted in the most careless manner, and the remonstrances of his officers only made him the more obstinate. Washington, who commanded some companies of Virginian militia, and acted as his aid-de-camp, pressed his objections to this course so warmly, that the irritated chief ordered him and his men to undertake the inglorious duties of the rear-guard.

Contrecoeur, who still commanded at Fort Du Quesne, had received early information of all Braddock's movements from his faithful Indian scouts, and detached De Beaujeau, on the morning of the 9th July, with two hundred and fifty soldiers and six hundred Indians, to occupy a defile six miles distant. Before, however, De Beaujeau had fully completed the disposition of his force, the appearance of the British vanguard brought on an engagement. Its flanking parties were speedily driven in by a deadly fire from an almost unseen enemy. Braddock promptly advanced the 44th regiment to succour the front, and endeavoured to deploy that corps upon the open ground ; but a deadly fire from the thick covert swept away the head of every

\* Smith's Hist. Can., vol. i. p 235-239.

formation. Panic-struck by the wild war-whoop of the Indians, which they had never before heard, and the disorder in their front, the 44th staggered and hesitated. Its colonel, Sir Peter Halket, and his son, a lieutenant, were now shot dead, side by side, while cheering them on. Meantime, the artillery instinctively pushed forward without any orders, and plied the thickets in front with grape and canister, but in a few minutes all the officers and most of the gunners were lying killed or wounded. The broken remnant of the advanced guard now fell back upon the disordered line of the 44th, and threw it into utter confusion. Again and again did Braddock, with useless courage, endeavour to induce the 44th to present a firm front to the enemy; but this luckless corps, fated to be massacred at a subsequent period in Affghanistan, were seized with uncontrollable terror, lost all order, and fell back in a crowd on the 48th, now advancing to their aid under Colonel Burton. With these fresh troops Braddock endeavoured to restore the battle, and made several desperate efforts to get possession of a hill, from whence a body of French poured down a most destructive fire; but trees and rocks disordered his well drilled ranks, which were also cut up repeatedly by the flanking fire of the Indians. Lacking the qualities of the general, his valour was useless; the carnage increased, and after having five horses shot under him, a bullet shattered his arm, and passed through his lungs. He felt his defeat keenly, and desired to be left to perish on the field; but Colonel Gage placed him in a waggon, and hurried him to the rear.

The remnant of the 44th and 48th now broke and fled in the utmost disorder, leaving the artillery and baggage in the hands of the French, and, what was still worse, their wounded to be scalped and murdered by the Indians. Washington, with his Virginian companies, who had borne but little share in the action, held the banks of the Monongahela till the fugitives had crossed over, and then retired himself in tolerable order. All night did that panic-stricken army fly, and the following evening joined the force which had been left behind under Colonel Dunbar, full fifty miles from the scene of the action. Still the retreat was continued, Braddock's sufferings hourly increasing till his death, which took place on the third day from his defeat. Shortly before he expired he dictated a despatch acquitting his officers from all blame, and recommending them to the favour of his country.

Full three-fourths of the small army Braddock had taken into action were killed, wounded, or missing, including sixty-four officers. Fifty-four women had accompanied the troops, and of these only four

escaped alive from the dangers and hardships of the expedition. The French, on the other hand, only lost their commander, De Beaujeau, and sixty men in this astonishing victory, while the loss of their Indian allies was still less in proportion.\*

On Braddock's death Colonel Dunbar assumed the chief command, and continued the retreat in the most disgraceful haste upon Fort Cumberland. Leaving two militia companies to strengthen its garrison, he pursued his march to Philadelphia, despite the earnest entreaties of the governors of Virginia, Maryland, and Pennsylvania, not to leave their western frontiers unprotected. From Philadelphia, the remains of the army, sixteen hundred strong, were shipped to Albany by the order of General Shirley, of Massachusetts, who was now commander-in-chief.

While the disastrous events were occurring, which left the French flag floating triumphantly in the valley of the Ohio, Governor Lawrence, of Nova Scotia, was vigorously engaged in driving the enemy from the Isthmus. De Vergor, now commanding at Beau-Sejour, knew nothing of the preparations for war between Great Britain and France till spring; nor was he fully apprised of his danger, till, on the 2d of June, he beheld the British fleet sailing fearlessly into the bay, and anchoring before his eyes. On the 3d the militia and regular troops, amounting to thirteen hundred in all, were landed without difficulty, as well as a train of artillery. De Vergor had been too busy during the preceding winter, assisting the Abbe Le Loutre in plundering the Acadian refugees of the allowances given them by the crown, and in enriching himself by making fraudulent returns of firewood, and other articles required for the garrison, to be now prepared to defend his fort with resolution.† The British were suffered to cross the Messagouche without opposition. Beau-Sejour, its garrison weakened by discontent and fear, was surrendered after an inglorious siege of four days' duration, and called Fort Cumberland by its captors, in honour of the commander-in-chief. The little fortress at the Bay Verte, garrisoned by only twenty soldiers, was the next to fall; the French themselves burned the fort at St John's, and retreated to Louisburg. These important successes were cheaply purchased with the loss of twenty killed, and about the same number wounded. The unfortunate Acadian refugees having broken their oath of allegiance to Great Britain, and now a second time

\* Russell's *Modern Europe*, vol. ii. pp. 444, 445. *Conquest of Can.*, vol. ii. pp. 19-26. Bancroft's *Hist. United States*, vol. iii. pp. 129-136. Smith's *Hist. of Can.*, vol. i. p. 233. *Brit. North Amer.*, vol. i. p. 211.

† Smith's *Hist. Can.*, vol. i. p. 229.

completely at its mercy, were treated with unwarrantable harshness.

General Shirley organised the third expedition determined on by the council of Alexandria, and marched westward from Albany, in the beginning of July, to capture the French fort at Niagara. But the news of Braddock's defeat and death soon reached his troops, and disheartened the Provincials, who deserted their colours by squads. Shirley, nevertheless, vigorously pushed forward with all the troops he could keep together, relying on the aid of the Iroquois. But these had also heard of the French victory at Fort Du Quesne, and hesitated to commit themselves to the doubtful fortunes of the British. They even remonstrated against the passage of their territory by an army, alleging, at the same time, that the fort at Oswego was only tolerated by them as a trading post. The middle of August was past when the general, after a toilsome march, arrived at Lake Ontario, and the want of supplies and lateness of the season prevented him from attacking Niagara. Leaving seven hundred men under Colonel Mercer to strengthen and occupy the defences at Oswego, he commenced, on the 24th of October, to retrace his difficult route from Albany.

To William Johnson was due the honour of redeeming in some measure the reputation of the British arms, so seriously tarnished by the defeat of Braddock, and the fruitless marches of Shirley. An Irishman by birth, he had followed when a youth the example of numbers of his countrymen even at that early day, and sought to better his fortunes in the New World.\* Here, like Cobbett, and Ledyard, and Coleridge, and East Indian Thompson, "who died a Major-General," in the Old World, he began his career as a private soldier. But Johnson was moulded in no ordinary stamp. Possessed of a noble form, of strong perceptive powers, and influenced by an honourable ambition, he gradually worked his way upwards to wealth and public consideration. A settler for many years on the fertile banks of the Mohawk, his manly bearing, social manners, and Irish hospitality, had rendered him exceedingly popular with the aborigines of New York, and he might justly be termed the "Tribune of

\* Even in the latter part of the seventeenth and the beginning of the eighteenth century, the emigration from Ireland to the American plantations was very extensive in proportion to its population. At one period this emigration was a source of much alarm, as lands in many parts of Ireland were left untenanted. There is not the smallest doubt, that at the present day Irishmen, or their descendants, form the largest portion of the people of the United States. *Vide Russell's Modern Europe*, vol. iii. p. 1.

the Six Nations."\* Not a single Iroquois had joined the ill-fated Braddock, or the tedious Shirley: but the entire Mohawk tribe attached themselves to the fortunes of Johnson; and Hendrick, their bravest sachem, led three hundred of their warriors to his camp.†

Early in July the militia of Massachusetts and Connecticut, with a few from the other New England states and New York, assembled at Albany, to the number of five thousand men, preparatory to moving upon Crown Point. General Lyman led this force to the portage between the Hudson and the head-springs of the Sorel, where they constructed Fort Edward to serve as a safe depot for provisions, and to secure a point of support in case of defeat. Here Johnson joined the army the last days of August, and leaving a garrison of three hundred men in the newly-built fort, conducted it to the southern shore of the lake, which the French called the Lake of the Holy Sacrament, but which he now named Lake George. "I found," he said "a mere wilderness; never was house or fort erected here before." Johnson had never seen a campaign, yet his position for his camp was chosen with much more judgment than Washington had displayed in the site for Fort Necessity. On the north lay Lake George, his flanks were protected by wooded swamps, and behind him was the secure post of Fort Edward.

Tidings of the danger which threatened Crown Point speedily reached De Vaudreuil, and abandoning the plan of an attack upon Oswego he despatched Baron Dieskau, a brave and experienced officer, with seven hundred veteran troops, fifteen hundred of the militia of Montreal, and seven hundred Indians, to its succour. Dividing his army at Crown Point, and eager for distinction, Dieskau, taking twelve hundred Indians and Canadians and three hundred regulars, pushed forward to assault Fort Edward. On the evening of the 7th September, he found himself within four miles of this post; but the Indians now refused to attack it, stating at the same time they were willing to go against the army on the lake, which was thought to have neither artillery nor intrenchments.

Late that night it was told in the camp at Lake George that a strong body of French and Indians had landed from South Bay, and marched towards Fort Edward. Next morning one thousand men, under Colonel Williams, and two hundred Mohawks, led by Hend-

\* *Memoirs of an American Lady*, vol. ii. p. 61. *Russell's Modern Europe*, vol. ii. p. 446.

† *Conquest of Canada*, vol. ii. p. 31.

rick, were despatched by a council of war to its relief. Dieskau's scouts warned him of their approach, and posting his force among the brushwood and rocks of a defile, he soon had the satisfaction of seeing the enemy rashly advance. But at the critical moment the Christian Iroquois of Caughnawaga hesitated to fire upon their kindred, and showed themselves to apprise them of the ambush. This movement saved the detachment from being entirely cut off. Put on their guard they fought bravely, and, although Williams and Hendrick were killed, made good their retreat to the camp, which was only three miles from the defile.

The close roll of musketry rendered Johnson aware that a sharp engagement was in progress, and as yet ignorant of the strength of the enemy he resolved to prepare for the worst. His camp had still no intrenchments. The New England militia were armed with rifles and fowling-pieces, without a bayonet amongst them ; trees, therefore, were now rapidly felled by the stalwart backwoodsmen, and waggons and baggage placed along the front of their line to form a breastwork. Behind this they could take deadly aim in comparative safety, and were perfectly at home.

Dieskau designed to enter the camp with the fugitives, but Johnson had brought up three guns from the lake, and the moment the Canadians and Indians found themselves under their fire, and in front of an intrenched line, their courage failed and they inclined to the right and left, contenting themselves with keeping up a harmless fire on the flanks of the British. Dieskau, although surprised at the strength of the position he had to assault, boldly pushed forward with his regulars to break Johnson's line in the centre, which he assailed at a distance of one hundred and fifty paces by a heavy platoon firing. The action soon became general, and although the French troops stood their ground stoutly, they melted rapidly away under the well-directed and deadly fire of the New England men. Dieskau finding, after the action had lasted four hours, that he could make no impression on the centre of their line, directed a movement against its right flank, and was now supported by the Canadian militia. Johnson had been wounded in the beginning of the action, but Lyman ably supplied his place, and soon checked the flank movement of the French. They wavered and gave way, when the New England men, leaping over their slight defences, drove them into rapid and disordered flight. Nearly all the French regulars perished, and their gallant leader, Dieskau, was wounded incurably and remained a prisoner. The entire British loss, in the different actions during the day, was two hundred and sixteen killed and ninety-six wounded.



The French loss has been variously estimated, but it could scarcely be less than seven hundred in killed and wounded.\*

The Canadians and Indians, who had suffered comparatively little in the engagement, finding themselves unpursued halted at the scene of Williams' defeat to plunder and scalp the dead. Here they were suddenly encountered by a body of New Hampshire militia, under Captain Macginnis, who were marching to aid Johnson's force, and a fresh engagement immediately ensued. It lasted two hours, and resulted completely to the advantage of the New Hampshire men, who lost their brave leader, however, in the moment of victory. Thus defeated a second time the remnant of the French broke up in disorder, and made the best of their way to Ticonderoga, where a portion of the force left behind by Dieskau had intrenched themselves.

Johnson has been severely censured for not following up his victory by a movement on Ticonderoga and Crown Point, which was recommended by his own council of war, and also by the New England Governors. But his military experience, brief as it was, had already taught him that however bravely raw militia, armed with rifles and fowling-pieces, might fight behind an intrenched position, where they had no evolutions to perform, and where all that was necessary was swift and well-aimed firing, they were, nevertheless, totally unequal to contend on a fair field against veteran French troops, armed with musket and bayonet, and still less fitted to assault fortified positions. Johnson, under these circumstances, felt that he had done sufficient in saving the frontiers of the New England colonies, and that his wisdom was not to risk a defeat by facing trained troops behind intrenchments. He accordingly contented himself with erecting Fort William Henry on the battle-field, and detaching Captain Rogers, a daring and active officer, to obtain correct intelligence of the enemy's movements. Rogers performed this duty in the most satisfactory manner, cut off several of the detached parties of the French, and ascertained that a body of two thousand men, with a proportion of artillery, were securely posted at Ticonderoga.

Having strengthened Forts Edward and William Henry, which he garrisoned with a regiment of militia, Johnson, on the 24th of December, fell back to Albany with the remainder of his forces, who from thence returned to their respective provinces. Although

\* Bancroft says their loss was not much greater than that of the British ; but in this estimate he is evidently mistaken. Smith rates their loss at one thousand killed, wounded, and missing, and Warburton says eight hundred. Their entire loss throughout the day was probably about seven hundred.

the victory he had won, with untrained and imperfectly armed troops, was not productive of any brilliant results, England was grateful for what he had accomplished, and rewarded him by a baronetcy, and a parliamentary grant of £5000.\*

While Johnson and the men of New England were winning laurels at Lake George, the frontier settlements of Pennsylvania felt the full effects of Braddock's defeat and the cowardly flight of Dunbar. The French of Fort Du Quesne and their Indians swept the open country in every direction, plundering and murdering the inhabitants. Its Quaker legislature refused assistance to repel these aggressions, and not till the clamours of hundreds of fugitives proclaimed that fifteen hundred French and Indians had mustered on the Susquehanna only eighty miles from Philadelphia, did these men of peace respond to the importunities of their Governor, by calling out the militia and appropriating £62,000 for the expenses of the war. The other colonies, whose frontiers were also exposed, became more and more alarmed, and, on the 12th of December, a grand council-of-war was held at New York, composed of several of the Governors and superior officers, to deliberate on measures for the common safety. A splendid campaign was now planned for the following year; Quebec was to be menaced by the Kennebec and the Chaudiere; vessels were to be launched on Lake Ontario from Oswego, and Frontenac and Niagara and Toronto to be captured; and then Fort Du Quesne and Detroit and Mackinaw, deprived of their communications with Montreal, must surrender. A strong force at the same time was to carry Ticonderoga and Crown Point, and to threaten the settlements on the St Lawrence by the Richelieu. The mother country was appealed to for succour. This she determined to give, despite her fears already of colonial independence when freed from French aggression, and Lord Loudon was appointed to direct her American armies.

\* Conquest of Can., vol. ii. p. 35. Smith's Hist. Can., vol. i. p. 235.

## CHAPTER VII.

THE GOVERNMENT OF THE MARQUIS DE VAUDREUIL,—*continued.*

DESPITE the hostile conflicts in the New World, France and England were still nominally at peace. Contrary to all political conjecture, France made no reprisals for the capture of the *Alcide* and the *Lys*, the two men-of-war taken off the St Lawrence by Boscawen, and tamely saw three hundred of her trading vessels, laden in many cases with valuable cargoes of West India produce, and manned by eight thousand seamen, captured and carried into the ports of England. France felt her inferiority at sea, and had flattered herself that the anxiety of George II. for the safety of his German dominions, would prevent him from adopting any vigorous measures, notwithstanding her encroachments in America. But the numerous captures of French vessels soon taught Louis XV. that no dependence need be placed on the promises and peaceable professions of the British ministry, and he unwillingly prepared for war. Both Great Britain and France now sought to strengthen themselves by new alliances, and to make preparation otherwise for the approaching contest, which threatened to involve all Europe. France began hostilities by the <sup>1756</sup> invasion of Minorca, and war was soon after formally declared by both countries.\*

In the New World the campaign opened with far the best prospects on the side of the French, in a military point of view. They held undisputed possession of the valley of the Ohio and the great west; Niagara and Toronto had been strengthened, as well as Fort Frontenac; and their flag floated over Lake Ontario in almost undisputed sovereignty; while Crown Point and Ticonderoga gave them the supremacy on Lake Champlain. In addition to these advantages three thousand regular troops, a hardy militia already trained to war, and numerous tribes of friendly Indians, ever ready to range

\* Russell's Modern Europe, vol. ii. p. 447.

themselves on the side of the stronger party, constituted a much more formidable military power than the British colonies, with their jarring interests, and independent commanders, could present.

But, while apparently formidable in military strength, Canada was woefully deficient in all the genuine materials of warfare, when compared with her Anglo-Saxon rivals. New England alone had more men capable of bearing arms than her entire population, which now numbered scarcely eighty thousand souls, while the united British colonies boasted of nearly three million inhabitants. It is true that the British settlers, like their descendants of the present day, were men of peace, and much better fitted by choice and habit for the occupations of commerce and agriculture than for the military life. Still, they possessed all the qualities which constitute the true soldier—energy, courage, and endurance, and needed only union, discipline, and the right kind of a leader, to drive their rivals single-handed from this continent. On the other hand, the Canadians were poor in purse, and suffering from a scarcity of food. Their union and military training gave them the advantage in the beginning of the contest; their want of numerical strength and the necessary resources ruined them in the end. The British colonies presented the aspect of a free self-governed people, grown rich and populous by their intelligence, their industry, and their love of justice. Canada exhibited the spectacle of a military settlement, ground down by the exactions of a feudal land tenure, dishonest public servants, and knavish commercial monopolies.

The ice of winter had still firm hold of the rivers of Canada, when De Vaudreuil opened the campaign, by detaching Lieutenant De Lery, on the 17th of March, with two hundred and fifty-nine French and eighty Indians, to capture some small forts, which he learned had been constructed on the road to Oswego for the protection of convoys proceeding thither. One of these posts, garrisoned by twenty men, was captured after a stout resistance and blown up. The obstinacy with which the little garrison had defended themselves, and the loss of some of their warriors, so exasperated the Indians that they scalped and murdered them all, with the exception of two men, who were saved with difficulty by De Lery. Three hundred men were also despatched from Fort Frontenac, under Captain De Villier, with instructions to establish themselves at some favourable point in the vicinity of Oswego, and inflict all the injury possible on stragglers from its garrison, or on convoys proceeding there, and if possible to capture the fort itself by a sudden assault. De Villier erected a small stock-

aded fort in a dense part of the forest, where he hoped to remain unperceived. But it was soon detected by a scouting party of Iroquois, who became not a little alarmed at this unauthorised occupation of their territory. By the advice of Sir William Johnson, they sent a deputation to remonstrate with De Vaudreuil at Montreal, and to request him to demolish the fort. This he refused to do : but told them if they remained neutral, and would not join the British, that he would protect them from every insult. After promising to pursue this course, they departed homewards laden with rich presents.

No sooner had De Vaudreuil dismissed the Iroquois deputies than he took prompt measures to strengthen the detachment under De Villier, and also for the capture of the British armed vessels, which now began to appear on Lake Ontario. While thus engaged a large body of troops arrived at Montreal under the command of Field-Marshal Montcalm, the Chevalier De Levi, and Colonel De Bourlemaque, three brave and experienced officers. After remaining a few days at Quebec, to make himself acquainted with the condition of matters there, Montcalm directed three regiments of regular troops to proceed to Montreal, whither he departed in advance to confer with the Governor. He highly approved of the measures the latter had taken with respect to Oswego, and directed Bourlemaque to push forward to De Villier's camp with a reinforcement, and take the chief command. Having completed these arrangements he proceeded to Ticonderoga, on the 27th of June. Here he remained making preparations for the defence of the frontier, and endeavouring to procure accurate intelligence of the movements of the British at Albany, till the 15th of July, when he set out on his return to Montreal. To De Levi and three thousand men he left the protection of Crown Point and Ticonderoga, and the maintenance of French supremacy on Lake Champlain and the Richelieu. From Montreal he hastened to Fort Frontenac to make preparations for the capture of Oswego.

While thus all was vigour and action on the side of the French, delay and indecision characterised the operations of the British. Lord Loudon being detained by business in England, Major-General Abercromby was ordered to precede him, and hold the chief command till his arrival. This officer brought out with him the 35th and 42d regiments, and found himself at Albany towards the latter end of June. Abercromby deemed the force under his command too weak to carry out the extensive plan of operations which had been sketched out by Shirley and the other colonial

officers ; and, desirous to avoid responsibility, resolved to await the arrival of the commander-in-chief before undertaking any important operations. Meantime, he marched the Provincial forces upon Fort William Henry, under the command of General Winslow, preparatory to the proposed movement on Crown Point and Ticonderoga.

While the bulk of the army thus remained in idle inaction, Lieutenant-Colonel Bradstreet, with a detachment of raw Irish recruits, conducted a large convoy of provisions in safety to Oswego. De Villier pushed forward from Sackett's Harbour, with seven hundred French and Indians, to intercept him, but losing his way in the forest he did not reach the Onondaga River till after the convoy had safely passed down its course. Bradstreet, fearing an attack on his return, divided his canoes and boats into three divisions, with an easy interval between, so that if his advance was attacked the men behind might push for the bank of the river, and meet the enemy on equal terms. Gallantly posting himself in the first canoe, he left Oswego on the 3d of July, and had only advanced nine miles up the stream, when suddenly a sharp volley, and the wild war-whoop of the savage, rang through the forest. The first fire fell with deadly effect upon the leading division, yet Bradstreet did not lose his presence of mind, and made for an island, which twenty of the enemy, however, dashing through the water, gained before him. He had not a dozen men with him, still he boldly faced his foes, and quickly drove them from the island. The remainder of his first division speedily arriving, made his strength up to twenty men, who bravely beat back a fresh attack by twice their number. The enraged French now made a third onset with seventy men, who, after a desperate hand-to-hand conflict on the island, were repelled by Bradstreet and his gallant little band. Meanwhile, the boatmen of the second and third divisions had landed, formed in good order, and pushed forward to the assistance of their hard-pressed comrades. After a desperate struggle the French were completely routed, leaving a hundred of their number dead ; and seventy prisoners, with a large quantity of fire-arms, in the hands of their conquerors. On the other hand, the Irish boatmen had sixty killed and wounded in this fiercely-contested action.

Bradstreet arrived at Schenectady on the 4th of July, and the following day proceeded to Albany, to warn Abercromby that Oswego was menaced by a large French force. The general at once gave orders for the 44th regiment to hasten to its relief, but owing to the interference of some of the Provincial governors its march was

delayed. Lord Loudon joined the army on the 29th of July, and still no active measures were taken.

Montcalm having completed all his arrangements for the siege of Oswego, departed from Fort Frontenac on the 4th of August, and arrived on the evening of the same day at Sackett's Harbour, the general rendezvous of his army, which amounted to more than three thousand men. On the 9th his vanguard arrived within a mile and a half of Oswego; on the night of the 10th his first division also came up. The second division followed shortly after, and at midnight on the 12th he opened his trenches against Fort Ontario, which crowned a height on the opposite side of the river from Fort Oswego, and completely commanded the latter. From the following daybreak till evening the fire of the garrison was well kept up, when their ammunition becoming exhausted, they had no alternative but to spike their guns, and retire across the river to Fort Oswego. The abandoned fort, which contained eight guns and four mortars, was immediately occupied by Montcalm, who now continued his parallel down the river side, where a breaching battery was speedily erected, and next morning, at six o'clock, nine guns poured a destructive fire at point blank range against Fort Oswego. At eight o'clock, Colonel Mercer, its commanding officer, was killed; and at ten, although its fire was still much superior to that of the French, the besieged hoisted a white flag and offered to surrender, much to the astonishment of Montcalm and his officers.

The garrison, consisting of Shirley's and Pepperell's regiments, and a detachment of Schuyler's regiment of militia, was about seventeen hundred strong, and lost one hundred and fifty in killed and wounded during the brief siege, or shortly afterwards, when thirty men attempting to escape through the woods, were massacred by the Indians. The French had eighty killed and wounded. Over sixteen hundred prisoners of war, including one hundred and twenty women, were sent down the St Lawrence, and the colours of the captured regiments for a brief space decorated the walls of the churches of Montreal, Three Rivers, and Quebec. One hundred and twenty cannon and mortars, six sloops of war, two hundred boats, and large stores of ammunition and provisions, with £18,000 in coin, fell to the conquerors.\*

This was a most fortunate victory for Canada, and established the already rising reputation of Montcalm; but he stained his triumph by permitting his Indians to plunder many of his captives, and to slay

\* Doc. Hist. New York, vol. i. pp. 488-497. Conquest of Can., vol. ii. pp. 51-54. Bancroft's Hist. United States, London Edition, vol. iii. p. 169. Smith's Hist. Can., vol. i. pp. 243, 244.

and scalp the wounded who had been intrusted to his care.\* Instead of occupying Oswego, he courted the favour of the Iroquois by razing it to the ground, and then retraced his way to Fort Frontenac.

The cowardly defence of Oswego imprinted a deep stain on the reputation of the British troops, and its capture terminated the campaign of 1756 completely in favour of the French. "Our trade," wrote an officer of Montcalm's army to a friend, "is now entirely re-established. Lake Ontario is ours without any opposition. We can hardly recover from astonishment at the victory we have achieved." Webb, who had at length advanced with the 44th regiment to relieve the garrison, when he heard of its capture turned and fled to Albany; Loudon expressed his fears of an attack while the enemy was flushed with victory. When the danger had passed over he dismissed the militia to their several localities, and quartered his regulars on the people of Albany and New York. The hapless frontier settlers of Virginia, Pennsylvania, and New York alone experienced the full evils of the recent disasters. Parties of French and Indians, from the Ohio, swept through the border counties of those colonies, and marked their course by plunder and massacre. Maddened by these injuries a body of three hundred Pennsylvanians hastily assembled, pursued a party of Delaware marauders to their village, and slaughtered them without mercy. On the side of New York, a detachment of three hundred French and Indians from Fort Frontenac, on the 28th of November, passing up the Black River penetrated into the Palatine settlement of the German Flats, in the valley of the Mohawk, captured five small forts which protected the village, killed forty men, and carried off one hundred and fifty prisoners. An immense quantity of cattle and provisions was destroyed, and the French and Indians returned to Frontenac laden with valuable plunder. The disasters which had befallen the British arms caused even the Iroquois to waver in their neutrality, and incline to the French. Their young men disdainfully trod the English medals under foot, and it required all the address of Sir William Johnson to prevent them from offering their services to Montcalm.

Emboldened by their numerous successes, the French did not permit their energies to slumber during the winter months. Scouting parties of Indians and the hardy habitants swept the frontiers of the northern settlements, and brought Montcalm the most accurate intelligence of the condition of the enemy. Vast stores of provisions and warlike munitions had been collected at Fort William Henry, on Lake George; and Montcalm now resolved to cap-

1757.

\* Doc. Hist. New York, vol. i. p. 498.



ture it by a sudden assault, and thus effectually cripple the future operations of the British against Ticonderoga and Crown Point. At midnight, on the 19th of March, eleven hundred French and four hundred Indians, led by Rigeaud De Vaudreuil, approached this fort to carry it by escalade; but the vigilant sentries discovered them in time, and alarmed the garrison, who speedily drove back their assailants with a brisk fire of cannon and musketry. On the next day the French invested the fort, and on the 21st summoned the commandant, Major Eyres, to surrender, which he promptly refused to do. Finding himself unable to take the fort, De Vaudreuil destroyed the storehouses and buildings around it, and returned to Montreal. Shortly after his return, Colonel De Bourlemaque was despatched with two battalions to strengthen the works at Crown Point and Ticonderoga, while Captain Pouchot was sent to Niagara to fortify it in the best possible manner, and assume the command.

While these events were in progress on the Canadian frontier, Lord Loudon was exerting himself to collect a sufficient force to strike a decisive blow. For the present the attack on Crown Point had been laid aside, and the reduction of Louisburg, in Cape Breton, determined on. Preparations for this enterprise were rapidly pushed forward in England, and towards the end of June seven regiments of infantry and a detachment of artillery, on board a fleet of fourteen line-of-battle ships, arrived at Halifax, the port of rendezvous, and were joined by Lord Loudon, on the 9th of July, with six additional regiments and some militia. Here he remained inactive till August, when intelligence being received that a strong French fleet had arrived at Cape Breton, the project of besieging Louisburg was abandoned.

Lord Loudon's departure for Halifax had not left the colonies by any means unprotected. Colonel Stanwix, with two thousand militia and a detachment of regular troops, guarded the western frontier; Colonel Bouquet, with nearly the same force, watched the borders of Carolina; towards Lake Champlain, General Webb defended New York and the New England states; while to Colonel Munro, with two thousand men, the safety of Fort William Henry was intrusted. In addition to these forces, the hardy militia of the neighbouring states could be rapidly drawn together, in case of an emergency, and would be more than sufficient for every purpose of self-defence.

No sooner had Lord Loudon put to sea for Halifax, than Montcalm promptly determined on the siege of Fort William Henry, for which he speedily drew together an army of six thousand regular troops and militia and seventeen hundred Indians. Among the

latter were a number of the Oneidas and Senecas, who had abandoned their promise of neutrality, and attached themselves to the rising fortunes of the French. It was a season of scarcity in Canada, the inhabitants of which now began to feel the full evils of continual military service: and the difficulty of collecting supplies for Montcalm's army was increased by the peculations of its commissariat, and the robberies of officials of every class. But all the obstacles to the progress of his troops were soon overcome by the resolute spirit of the French general, who proceeded himself to Ticonderoga, in the latter part of June, to complete the necessary preparations. From this point scouting parties were spread out towards Lake George. One of these, led by Marin, surprised a body of British militia near Fort Edward, and returned with fifty-five scalps: another attacked a fleet of barges on Lake George, killed several of the boatmen, and took one hundred and sixty prisoners. "To-morrow or next day," said some of the captives to Montcalm, "General Webb will be at the fort with fresh troops." "No matter," answered the intrepid soldier, "in less than twelve days I will have a good story to tell about them." From Webb there was little to fear. He went, it is true, to Fort Henry, but took good care to leave it again with a large escort in sufficient time to avoid the siege.

Montcalm had not sufficient boats to carry his entire army by water, and the Iroquois agreed to guide De Levi with two thousand five hundred men by land. Next day, which was the 1st of August, the main body of the army embarked in two hundred and fifty boats, in front of which advanced the Indians in their decorated canoes. The rain fell in torrents, yet they rowed nearly all night, till at length the three triangular signal fires of De Levi broke upon their view, and the fleet pulled into North-west Bay. An hour after midnight two English boats were descried upon the lake, which had been despatched to reconnoitre. Two canoes of the Algonquins boldly pushed out in pursuit, and with such celerity that one of the boats was captured. Of its crew two prisoners alone were reserved, the rest were massacred. The Algonquins had one of their principal chiefs killed.

Next morning no effort at concealment was attempted by the French, and the Indians, forming their canoes in a single line across the water, made the bay resound with their war-cry. The British were almost taken by surprise, and Montcalm disembarked without interruption a mile and a half below the fort, towards which his troops advanced in three columns. The Indians covered his flanks with vigilant skirmishers, or pushed on in advance to burn the

barracks of the British, to capture their cattle and horses, and to cut off and scalp their stragglers. They speedily succeeded in surprising a foraging party, forty of whom they slew and scalped, and captured fifty head of cattle. During the day they occupied, in connexion with a force under La Corne, the road leading to Fort Edward, and interrupted all communication with the army of Webb. To the north, De Levi was posted with his regulars and Canadians, while Montcalm, with the main body of his army, established himself on the west side of the lake. Fort William Henry was defended by Lieutenant-Colonel Munro, of the 35th regiment of the line, with less than five hundred men, but seventeen hundred more lay intrenched at his side on the eminence to the south-east, where now may be seen the ruins of Fort George.

Montcalm spent the 3d of August in reconnoitring the fort and neighbourhood, and in erecting his batteries. Next day he summoned Munro to surrender; but the gallant old soldier sent an answer of defiance. "I will defend my trust," said he, "to the last extremity." This bold reply hastened the preparations of the French, whose scanty supply of provisions must speedily run short. Montcalm felt, if he would conquer at all, it must be soon, and pressed forward his approaches night and day. The zeal of their general imparted itself to the men, who vigorously dragged the artillery over rocks and through forests; brought gabions and fascines; and laboured with untiring zeal in the trenches. The first battery of nine guns and two mortars was speedily constructed, and awoke a thousand echoes amid the surrounding hills as it opened on the fort amid the wild war-whoop of the savages. In two days more Montcalm had constructed his second parallel; and another battery, at a shorter range, poured a destructive fire upon the fort, while the Canadians and savages, swarming into the zig-zag of the trenches, swept its ramparts with murderous aim. The odds were great against him, still Munro held out with stubborn valour, in the vain hope that Webb would advance to his aid. But the craven-heart, who might speedily have collected a strong body of militia to assist his four thousand men in raising the siege, sent nothing but a letter, with an exaggerated account of the French army, and advising him to surrender. Still the gallant old man held bravely out; and not till half his guns were burst, and his ammunition nigh exhausted, did he unfurl a flag of truce.

Montcalm dreaded the excesses of the Indians, who thirsted for massacre and plunder, and with the view of making the terms of capitulation inviolably binding on them, invited their chiefs to coun-

cil. It was stipulated the British were to depart with all the honours of war, on condition of not serving against the French for eighteen months. They were also to surrender everything but their private effects, and the Canadians and French Indians taken captive during the war were to be given up. On the other hand, Montcalm agreed to supply a sufficient escort for their protection. The capitulation was signed on the 9th of August, and on the evening of the same day Munro delivered up the fort, and retired with his garrison to the intrenched camp.

Hitherto Montcalm had kept intoxicating liquors from the savages, but now they obtained them from the English, who were desirous to court their forbearance. But, unfortunately for the latter, this course produced a wholly different result from what they had expected. The Indians had been promised the liberty of plundering the British, and the greater part of them were dissatisfied with the stipulation which allowed them to carry off their private effects. Thus disappointed, and maddened by liquor, they spent the night in revelry and in recounting the wrongs they had sustained from the English. As the day broke, the British soldiers began to march out of their intrenchments and were immediately surrounded by the Indians, who at once began the work of plunder and massacre. Officers and men, stript of everything, sought safety in the recesses of the forest, in the fort, or in the tents of the French. De Levi rushed in among the infuriated savages, and endeavoured to appease them, but without effect. A spirit was now aroused which it was impossible to allay. Many French officers were wounded in their endeavour to shield the British troops. "Kill me," said Montcalm, "but spare them, they are under my protection." But his prayers and menaces were alike fruitless, and he urged the British to defend themselves. The march to Fort Edward was a disordered flight; not more than six hundred reached it in a body. Four hundred more were collected in the French camp, who were dismissed with a strong escort, while Montcalm despatched an officer to ransom those who had been made captives by the Indians. Such was the terrible occurrence which Cooper has so eloquently depicted in his "*Last of the Mohicans*."

The Indians speedily returned to their homes, leaving the French busy in demolishing the fort, and in carrying off the vast stores that had been collected there. Montcalm's loss was trifling; only fifty-three of his army had been killed and wounded. Still he forebore to follow up his victory by attacking Fort Edward, and dismissed the Canadian militia to gather in their harvest. Webb expected to be

assailed every moment, sent his baggage accordingly to the rear, and designed to retreat to the highland fastnesses of the Hudson. The alarm spread in every direction. "For God's sake," wrote the officer commanding at Albany to Governor Powhall, of Massachusetts, "exert yourself to save a province, New York itself may fall;" and the inhabitants west of the Connecticut River were directed to destroy their waggons, and drive in their cattle. Lord Loudon returned from his bootless and costly expedition to Halifax, leaving Louisburg untouched; but he spent the remainder of the season in quarrelling with the colonies about the quarters for his troops, and the royal prerogative, and the French were left undisturbed. Driven from the basin of the Ohio and the great lakes, the western trade effectually checked, with the American frontiers beset by a vigilant enemy, and hordes of treacherous savages, the false friends of prosperity, Britain and her colonies were sorely humiliated, and longed to avenge themselves.

In England the return of the shattered fleet, which had conveyed the troops to operate against Louisburg out to Halifax, and the intelligence of the fruitless operations of Lord Loudon, awoke a storm of public indignation. The discarded ministry of the Duke of Newcastle shared the odium of failure with the incompetent general, and all eyes were now turned on Pitt, who had again assumed the helm of state, in the hope that his wisdom would soon alter matters for the better. Nor were they disappointed. The "Great Commoner" knew no party but the British nation, and sought its benefit with honesty and singleness of purpose. The principal object with him was to exalt the power and establish the prosperity of his country on a sure basis, and to protect continental Protestantism, threatened in the King of Prussia by the formidable coalition of the great Roman Catholic sovereigns. No sooner was he firmly established in office than, warned by their incapacity, he urged upon his sovereign the necessity of removing the military and naval officers who had hitherto conducted the operations against the French. The propriety of this course was at once apparent to the King, who promptly gave his consent; and Pitt, with that keen perception which belongs to superior genius, proceeded to select his generals. Casting aside the formalities of military precedent, he elevated Colonel Amherst, a man of solid judgment and respectable ability, to the rank of major-general, and placed him at the head of the force which was designed for the attack of Louisburg. Under Amherst, Whitmore, Lawrence, and JAMES WOLFE were appointed brigadier-generals. The conquest of the Ohio valley was assigned to Forbes; while

Abercromby was to operate against Ticonderoga and Crown Point, with Lord Howe, on whom Pitt mainly relied for the success of the expedition, for his second in command. Of Abercromby the minister knew very little, and had soon reason to regret his appointment.

Among these officers, Howe and Wolfe, both young men, were the favourites with the minister and the public. Howe, connected with many of the best families of the nobility, was possessed of a manly and humane disposition, and great quickness of perception in discerning merit. Wolfe had only seen thirty-one summers, yet he had already been eighteen years in the army, and served at Dettingen, at Fontenoy, and at Laffeldt. At two-and-twenty, merit had elevated him to the rank of lieutenant-colonel, in which capacity he had won the respect of his officers, and the affection of his men, who, while they experienced in him a strict disciplinarian, found also a kind and humane friend. Conscious of ability, like every man of sterling talent, his aspirations for distinction had still nothing of egotism about them, and were clad in the garb of genuine modesty. An authoritative and firm commander, a brave soldier, he was not ashamed to obey his widowed mother, whom he regarded with the utmost affection ; while his gentle nature, even while he kindled at the near prospect of greater distinction, already saw visions of happiness in the pure scenes of domestic love.

On the 19th of February a magnificent fleet sailed from Portsmouth, which carried out General Amherst, and an army  
1758 of ten thousand men. It was long detained by contrary winds, and after a stormy passage reached Halifax on the 28th of May, where Boscawen's fleet was met coming out of the harbour, the gallant Admiral being weary of inaction. At dawn, on the 2d of June, the entire armament, embracing twenty-two ships of the line, fifteen frigates, one hundred and twenty smaller vessels, and eleven thousand six hundred troops, arrived off Louisburg. Amherst indulged in the hope that he would be able to surprise its garrison, and issued orders for the silent landing of the troops. But for six days a rough sea, and the heavy surf which broke upon the rugged beach, rendered a disembarkation impossible. During this interval the French toiled night and day to strengthen their position, and fired upon the ships at every opportunity.

On the evening of the 7th the wind lulled, the fog cleared off, and the heavy sea gradually subsided, but a violent surf still continued to break on the beach. On the following morning, just before daylight, three divisions of boats received the troops ; at dawn Commodore Durell examined the shore, and reported a landing to be prac-

ticable. Seven frigates now opened fire to cover the advance to land. In a few minutes afterwards the left division, led by Brigadier Wolfe, began to row in-shore, and was speedily followed by Whitmore and Lawrence, with their brigades, while two small vessels were sent past the mouth of the harbour to distract the attention of the enemy, and induce them to divide their force.

The left division was the first to reach the beach at a point about four miles from the town. Wolfe would not allow a shot to be fired, stimulated the rowers to fresh exertions, and on coming to shoal water boldly jumped out into the sea to lead on his men. The French stood firm, and retained their fire till their assailants were close to land. Then as the boats rose on the last swell, which brought them into the surf, they poured in a close and deadly volley from every gun and musket they could bring to bear. Wolfe's flag-staff was shivered by a bar-shot; many soldiers were killed; several boats were wrecked by the surf; but still he cheered on his men, who had not yet returned a shot, and in a few minutes, with fiery valour, they had burst through the breastworks of the French, who fled in disorder. The victors pressed rapidly on in pursuit, and despite a rugged country inflicted a severe loss on the fugitives, captured seventy prisoners, and invested Louisburg the same day.

For the succeeding two days a rough sea rendered it impossible to land the siege artillery, and provisions were conveyed to the army with the greatest difficulty. On the 11th the weather moderated, when tents were landed, and some progress made in the preparations for the siege. On the 12th De Drucor, the French general, withdrew all his outposts, and even destroyed a battery which commanded the entrance of the harbour, being desirous to reserve all his force for the defence of the town. The garrison of Louisburg was composed of three thousand regular troops and militia, with a few Indians. In addition to this force, six line-of-battle ships and two frigates guarded the harbour, at the entrance of which three other frigates had been sunk, to prevent the passage of the British fleet.

Wolfe's light troops were speedily in possession of the different posts deserted by the French, and on the 20th a battery opened upon the ships and land defences. For many days the slow operations of the siege continued under great difficulties to the British, owing to the marshy nature of the ground, and heavy rains which flooded the trenches. But science, a sufficient force, union among the principal officers, and courage and endurance in sailors and soldiers, overcame every obstacle, and promised speedy success. A sortie on the 9th of July by the besieged was speedily repelled, and

day and night the batteries thundered against the ramparts, the citadel, and the shipping. On the 21st three of the French men-of-war were set on fire by a shell, the following day the citadel was in a blaze, the next the barracks were burned down, while Wolfe's trenches were pushed close to the town, and the French driven from their guns by the British sharp-shooters. On the night of the 25th two captains of Boscawen's fleet swept into the harbour with a squadron of boats under a furious fire, and burned one of the remaining men-of-war and carried off another. Boscawen prepared to send in six ships of the line to attack the other French vessels; but the town was already a heap of ruins, the greater part of its guns dismounted, its garrison without a safe place to rest in, so De Drucor resolved to capitulate at discretion, such being the only terms he could get.

Skilfully fortified, defended by a sufficient garrison and by a powerful fleet, Louisburg had been bravely won. Its capture shed fresh lustre on the genius of Pitt, as well as on the gallant men he had wisely chosen to effect it. It was indeed a triumph for British arms, so long stained by sad reverses. Five thousand six hundred soldiers and sailors were made prisoners, and eleven ships of war taken or destroyed. About fifteen thousand stand of arms, and large quantities of military stores and provisions, also fell into the hands of the victors; as well as eleven stand of captured colours, which were laid at the feet of the British sovereign, and subsequently deposited with due solemnity in St Paul's. With Louisburg fell Cape Breton and Prince Edward's Island; and thus terminated the power of France for ever on the eastern seaboard of North America. Halifax being the British naval station, Louisburg was deserted; and although the harbour still affords shelter from storms, a few hovels only mark the spot which so much treasure was expended to fortify, so much courage and endurance needed to conquer.

While Amherst and Wolfe were still busily engaged in the siege of Louisburg, the largest army as yet seen on the American continent assembled at Albany, under the command of Abercromby, the successor of Lord Loudon as General-in-chief, for the attack of Ticonderoga and Crown Point. It was composed of a strong detachment of the royal artillery, six thousand three hundred and fifty troops of the line, and nine thousand provincial militia. In the latter end of June this force marched to Lake George, and encamped by the ruins of Fort William Henry till the 5th of July, when they struck their tents, and embarking in one thousand and thirty-five boats, protected by artillery mounted on rafts, proceeded towards Ticonderoga. All that



day did this flotilla pull steadily forward, and when evening fell the troops landed, and built large fires to deceive the French into the belief that they would proceed no further till morning, and to distract their attention. But in the dead of the night they were suddenly re-embarked, and hurried forward to the stream which connects the two lakes. On the left bank of this stream, where it falls into Lake Champlain, rises a bold headland, on which stood Ticonderoga, or Fort Carillon, as it was named by the French. Protected by the lake and river on the east and south, while to the north it was effectually covered by marshes, it could only be approached from the west. The fort might thus be said to be situated at the point of an acute angle, the base of this angle presenting the only way by which it could be assailed by a land force. Across this base, at the distance of half a mile from Carillon, Montcalm marked out his lines, which he fortified by felled trees and intrenchments of earth.

At five o'clock on the morning of the 6th, the advanced guard of the British, composed of two thousand men under the command of the gallant Bradstreet, were safely landed, and meeting no opposition were speedily followed by the entire army, which pushed forward in four columns covered by skirmishers. Montcalm did not expect to see Abercromby so soon in his immediate neighbourhood, and was almost taken by surprise. "These people," said he, "march cautiously, yet if they give me time to gain the position I have chosen on the heights of Carillon I shall beat them."

The British columns, led by guides who knew little of the neighbourhood, broke and jostled each other repeatedly. So dense was the forest and uneven the ground that an outlying detachment of three hundred French troops, called in by their general, lost their way, and were suddenly encountered by the right centre of the British army led by Lord Howe. The worn-out stragglers, who had been wandering twelve hours in the forest, fought bravely, but were soon overwhelmed. Some were killed, others drowned in the stream, and one hundred and fifty-nine surrendered. Lord Howe, foremost in the skirmish, was the first to fall. Pierced by a bullet in the breast, he expired almost instantly, to the great sorrow of his companions in arms, by whom he was much beloved. His death was fatal to the army, and infatuation and dismay took the place of the cool conduct and courage which had hitherto marked its movements.

The British troops passed the ensuing night under arms in the forest, and next morning Abercromby had no better plan than to withdraw them to the landing-place, about two miles distant. An hour before noon Bradstreet again pushed forward with a strong

detachment to rebuild the bridges which the French had thrown down, and take possession of a strong position at some saw-mills, less than two miles from Montcalm's lines, where he was speedily joined by the entire army.

At dawn on the morning of the 8th, Colonel Clark, the chief engineer, was despatched with several of the principal officers to reconnoitre the French lines. These Clark represented "to be flimsy in construction and strong in appearance only;" an opinion from which several of the other officers dissented. But Abercromby leaned to the professional counsel of the engineer, and having already learned from a prisoner, who deceived him however, that Montcalm's force was six thousand strong, and that De Levi was marching to support him with three thousand men, he determined to carry the French lines by storm, without even waiting for his cannon. De Levi had already joined Montcalm the previous evening, and brought only eight hundred men to his assistance, but four hundred of these were picked troops.

At an early hour the French drums beat to arms, and Montcalm marched his force, which did not amount to four thousand men, into the threatened intrenchments; and having instructed them in the positions they were to occupy, the strengthening of his works was promptly proceeded with, despite the fire of the British light troops. The French intrenchments were of the most formidable description—a fact discovered too late. A solid earthen breastwork protected the defenders from a hostile fire; while the slope in front was covered for nearly one hundred yards with an abatis of felled trees laid close together, the pointed branches of which obstructed the movements of an advancing force. Montcalm designed to protect his flanks, which he had not time to intrench, by batteries, but the rapid advance of the British prevented their construction, and accordingly both ends of his line could have been turned without difficulty. This the French general was well aware of, and gave orders that if either of his flanks were turned, his troops were to abandon the field, and retreat to their boats as they best might.

Totally ignorant of this circumstance, which could never have escaped the sharp eyes of a skilful general, Abercromby rashly determined to throw his best troops against the enemy's centre, and cut their line in two, while his other troops assailed their right and left. While the army was forming for the attack, Sir William Johnson arrived with four hundred and forty Iroquois, who were pushed forward into the woods to distract the attention of the enemy, but they took no active part in the bloody action that ensued. The American

rangers, Bradstreet's boatmen, and some companies of light infantry, formed Abercromby's first line ; the second line was composed of the Massachusetts militia ; in the third were the British regiments of the line, with Murray's Highlanders, the gallant 42d. The reserve consisted of the Connecticut and New Jersey militia. While the army was forming, detachments of French came forward and skirmished, but were speedily overpowered and driven back to the cover of their intrenchments.

At one o'clock, having received orders not to fire till they had surmounted the breastwork, the British moved forward in three heavy columns, with skirmishers in the intervals, to force the French defences. Montcalm, who stood just within the intrenchments, while Abercromby occupied a secure post in the rear of his army, threw off his great-coat, the heat of the July afternoon being excessive, and ordered his men not to fire a shot till he commanded. No sooner had the heads of the British columns become entangled among the trees and logs in front of the breastwork, than the word to fire was given, when a sudden and incessant discharge from swivels and small arms mowed down brave officers and men by hundreds.

The light troops and militia were now moved aside, and the grenadier companies of the line, followed by Murray's Highlanders, pushed forward with quick but steady step, and despite the heavy fire of the French, without one hesitating pause or random shot, their column gallantly dashed against the abatis. Through this the grenadiers with desperate valour endeavoured to force their way, but the cool and well-aimed fire of the French smote them rapidly down. Maddened by the delay, the Highlanders, who should have remained in reserve, were not to be restrained, and rushed to the front. For a moment they appeared more successful, but they fiercely won their way through the abatis to die upon the summit of the breastwork, till ere long half of these gallant men, and the greater part of their officers, were slain or severely wounded. Then fresh troops pressed on, and for nearly four hours the attack was renewed again and again by the British ; now fiercely rushing forward, then broken and shattered by the murderous fire of the foe, they sullenly retired to reform their ranks for another desperate effort. But the valour of these brave men, thus sacrificed by an incompetent commander, was unavailing ; and against that rude barrier so easily turned, and which one hour of well-plied artillery would have swept away, the flower of British chivalry was crushed and broken. At length, in the confusion, an English column lost their way, and fired in mistake on their comrades. This event produced hopeless

dejection ; the disorder in a few minutes became irretrievable, and Highlanders and Provincials, rangers and grenadiers, joined in one disgraceful flight.

During the confusion of battle, Abercromby cowered safely at the saw-mills in the rear. When his presence was necessary to rally the fugitives, he was nowhere to be found, and his second in command lost the opportunity of distinguishing himself, and gave no orders. But the disordered troops, finding the French did not pursue them, gradually recovered from their terror, and rallied of their own accord on a few unbroken battalions whom the general had retained in his vicinity, most probably with a view to his own safety. Yet scarcely had confidence been partially restored, than an unaccountable order from Abercromby to retreat to the landing-place renewed the panic. The soldiers concluding they were to embark immediately, to escape the pursuit of their victorious enemy, broke from all order and control, and crowded towards the boats. Fortunately the gallant Bradstreet still held together a small force, which he now with prompt decision formed across the landing-place, and would not suffer a man to embark. Had the disordered masses been allowed to rush into the boats, numbers must have perished in the lake ; and thus to the prudence of one man the salvation of many lives may be justly attributed. Owing to Bradstreet's spirited conduct, order was in a little time restored, and the army remained on the lake-shore for the night. It still exceeded the French force four-fold, yet next morning Abercromby re-embarked, did not rest till he was safe across the lake, and even then sent on his artillery and ammunition to Albany, to prevent the possibility of their falling into the hands of Montcalm.

In this sanguinary battle the British army lost nineteen hundred and fifty men in killed, wounded, and missing, nearly the whole of whom were regular troops, with a large proportion of officers. Of the French force four hundred and fifty were killed and wounded, among whom there were no less than thirty-eight officers.\* Had the French pursued, the loss of the British must have been much greater ; and no doubt had they been aware of the complete disorder of the enemy, they would have done so. No sooner had the firing ceased than Montcalm caused refreshments to be distributed amongst his exhausted soldiers, and thanked every regiment for their incredible valour. Dreading a fresh assault when the British would bring up their guns, he employed the night in strengthening his lines. But he had nothing to apprehend from Abercromby, who shared the fright and consternation of his meanest

\* Smith's Hist. Can., vol. i. p. 265.

sentinel. "Had I to besiege Fort Carillon," said Montcalm, "I would ask but for six mortars and two pieces of artillery."\* The English general had still an army of fourteen thousand men, and an amply sufficient siege train; but he whiled away the season of action near the site of Fort William Henry in lining out a new fort, and thus signalised himself as one of the many incapables, whom the purchase of commissions, and seniority system of the British military service, have elevated to the rank of general officers.

But the brave Bradstreet still persisted in his purpose of attacking Fort Frontenac, and was at length supported by a majority in the council of war. At the Oneida portage, Brigadier Stanwix placed under his command nearly three thousand militia, and here he was also joined by forty-two of the Onondagas led by their chief "Red Head." Leading his men down the river past the scene of his brilliant victory in 1756, Bradstreet speedily found himself on Lake Ontario, and landed on the 25th of August within a mile of Fort Frontenac. This famed position he found to be a quadrangle, defended by thirty guns and sixteen small mortars; but the works were weak, and the garrison small and dispirited.

Bradstreet opened his lines at five hundred yards from the fort, but finding the distance too great, and the fire of the enemy little to be feared, he took possession of an old intrenchment near the defences, whence his guns opened with effect. The garrison, consisting of only one hundred and twenty soldiers and forty Indians, were utterly incapable of defence, and surrendered on the morning of the 27th, finding there was no prospect of the succour which the commandant, De Noyan, had already asked from the Governor. Sixty pieces of cannon, sixteen small mortars, an immense supply of provisions and ammunition, and all the shipping on the lake, among which were several vessels laden with rich furs, fell into the hands of the victors, who had not to lament the loss of a single man. Owing to the orders of Abercromby, Bradstreet had no choice but to burn and destroy the artillery, stores, and even the provisions he had so easily captured, and to return by the route he had advanced. The shipping, with the exception of two, retained to carry the furs across the lake, were also destroyed, and the fort blown up and abandoned. It was repaired, however, during the summer by the French, who likewise added to the works at Niagara, and strengthened the garrison there. Still, the loss of the large supplies of ammunition and provisions stored up at Frontenac was a severe blow to the French, and seriously crippled, in connexion with the destruction of the fleet, their operations westward. De

\* Bancroft Hist. United States, vol. iii. p. 217.

Vaudreuil endeavoured to shift the blame attaching to himself, for not strengthening the garrison, to De Noyan; and compromised that officer's position to such an extent, that he was compelled to retire from the military service altogether.

While Bradstreet was engaged in the expedition against Fort Frontenac, Montcalm, from his position at Ticonderoga, lost no opportunity of harassing the outposts of Abercromby's army. On the 17th of July, a party of twenty Provincials and three officers were destroyed by the French light troops near Fort Edward; and, ten days afterwards, one hundred and sixteen teamsters were surprised and massacred about the same place. Major Rogers was despatched, with seven hundred men, to seek out and punish the enemy. Hardship and desertion soon reduced his force to nearly five hundred men, who encountered an equal number of French on the 8th of August, and soundly beat them, killing and wounding one hundred and ninety of the enemy, while their own loss was only forty.

The capture of Louisburg and Fort Frontenac, with the bloody repulse of Abercromby by Montcalm, and the affair of outposts just narrated, may be said to have closed the campaign of 1758 at the north. Westward, the French power received a severe check in the capture of Fort Du Quesne. On the 30th of June, Brigadier Forbes marched from Philadelphia, *en route* for the Ohio valley, at the head of fifteen hundred regular troops and five thousand militia. Among the latter were two Virginian corps under the command of Washington.

The march over the Alleghanies was long and laborious, and commemorated by the construction of a new road to the Ohio. September had come before the army arrived at Raystown, within ninety miles of Fort Du Quesne. Here Forbes, who had been carried the greater part of the way in a litter, and whose life was fast ebbing, halted the main body of his force, and detached Colonel Bouquet with two thousand men to take post at Loyal Hanna. This officer, having learned that Fort Du Quesne was weakly garrisoned, conceived the idea of capturing it before the arrival of his chief, and accordingly detached Major Grant, with eight hundred Highlanders and a company of Virginian militia, to effect a reconnaissance of the works. Instead of fulfilling his instructions, and retiring on the main body, Grant posted his men on a hill, and beat a march as a challenge to the garrison. The combat was promptly accepted, and, after a severe action, the Highlanders were completely routed, with a loss of nearly three hundred in killed, wounded, and prisoners. In this affair the company of Virginian militia rendered essential service, and were publicly extolled by Forbes.

The whole army now moved forward as rapidly as the rugged nature of the country and the unfavourable weather would permit, the advance led by Washington. Scouting parties of French and Indians endeavoured to impede its march, but were always promptly repulsed. Finding that resistance to the strong force, so cautiously and securely moving against him, could not be made with any prospect of success, the French commandant withdrew the garrison from Fort Du Quesne, after springing a mine under one of its faces, and dropped down the stream of the Ohio to the friendly settlements on the Mississippi. It was now the 24th of November, and the hills were already white with snow. On the following day the British took possession of the deserted stronghold, at once proceeded to repair its works, and changed its name to Pittsburg, in honour of the minister who planned its capture, and of whose glory the city on its site remains the enduring memorial.

The capture of Fort Du Quesne closed the campaign of 1758. It was an event of considerable importance to the British, and restored their failing military reputation with the western Indians, while it effectually interrupted the communications of the French with their settlements in Louisiana. Brigadier Forbes lived but a brief space to enjoy the credit of its capture: his naturally weak constitution was ruined altogether by the hardships he had undergone during the expedition, and he died at Philadelphia soon after his return, much regretted by his acquaintance. Although the campaign had been chequered with disaster, still its general results were eminently favourable to Great Britain, and reflected additional lustre on the great man who guided her councils. The capture of Louisburg left France without a safe port near the St Lawrence, and effectually closed Canada in on the seaboard, while the reduction of Frontenac and Du Quesne had given all the territory to Britain, for the possession of which the war had arisen. Abercromby's defeat only delayed the final catastrophe for a brief space. His overwhelming force still menaced Canada from the side of Lake Champlain; and Montcalm was fully sensible that it only wanted a skilful general to lead it to victory. That leader, Pitt considered he gave it in the prudent Amherst, who received his commission, appointing him Commander-in-chief of the army in America, in December, and at once proceeded to New York to supersede Abercromby, who returned in disgrace to England. In the same vessel with the fallen general sailed the gallant Wolfe on leave of absence.

## CHAPTER VIII.

THE GOVERNMENT OF THE MARQUIS DE VAUDREUIL,—*continued.*

THE year 1759 opened with dangerous menace to the French dominion in the New World. Pitt, with hands strengthened by a vote from the grateful Commons of England, of twelve millions sterling to carry on the war, sketched out with consummate skill the arrangements for the ensuing campaign in North America. In appointing his general officers he entirely disregarded seniority of rank, and selected the men he considered most capable of carrying out his views. To Stanwix he entrusted the conquest of the French posts from Pittsburg to Lake Erie ; Prideaux was to reduce Niagara ; while Amherst was instructed to assault Canada by Lake-Champlain and the Richelieu, to capture Montreal, effect a junction with the expedition against Quebec, and thus terminate French power in North America by a single campaign. But Wolfe was Pitt's favourite general. In him he saw the same noble qualities which were inherent in his own nature. With the intuitively sympathetic love of genius for its fellow, he reposed implicit trust in the gallant soldier, and felt that he was safely entrusting the honour of their common country to his keeping. Wolfe, eager for glory, gladly accepted the command of the expedition against Quebec. Still, he could have found happiness in retirement. Gentle, yet courageous ; affectionate, though aspiring ; of highly cultivated tastes, and with a nature formed for the highest enjoyments of pure domestic love, he could fully appreciate all the charms of a peaceful home. But the noble passion for immortal distinction overcame his fondness for repose, and the day before his departure to join his troops, as Pitt detailed his wishes and his plans, he forgot everything but the ardent desire to devote himself to the service of his country.

The large armies which had been set in motion by the British during the campaign of 1758, convinced De Vaudreuil that the total extinction of French power in North America was designed.



De Bougainville was accordingly despatched to France to solicit provisions and the aid of fresh troops, and preparations were promptly commenced, under the vigilant superintendence of Montcalm, for the better defence of the colony. A proclamation was issued to the officers of the militia to increase their zeal in preparations for resistance, and directing that all the male inhabitants of the province, from sixteen to sixty years of age, should be enrolled, and hold themselves ready to march at a moment's notice.

In addition to the approach of the fiercest war they had ever yet encountered, the unfortunate habitants were now threatened with all the horrors of famine. The recent harvest had been below the average, owing principally to the absence of the farmers on military duty, and the scarcity was still further increased by the peculations and extortions of the civil officers. The rapacity of these men caused the poor people to conceal their scanty stores of provisions, and the troops were now quartered on them by the Intendant, who found it otherwise impossible to procure the necessary supplies. The scarcity gradually became so great, that horses had to be killed for the use of the inhabitants and troops at Montreal and Quebec.

Early in January a census was taken of all the inhabitants, who were found to number about eighty-five thousand, of whom fifteen thousand two hundred and twenty-nine men were capable of bearing arms. Of these, however, a large proportion were unavailable in time of war, owing to the necessities of agriculture, and the prospect of a still more severe famine if the fields were left untilled. A detachment of artillery, eight battalions of French regulars, and thirty-three companies of the marine or colony troops, formed the real strength of the Canadian army. On the other hand, the British had nearly fifty thousand men under arms, or ready to take the field; provisions were abundant in all their colonies, and the people prosperous.

The gallant Montcalm saw the net with which fate was gradually encircling him, still he never faltered in his duty. He could tell the French minister plainly, "that Canada must be taken in this or the next campaign, without unexpected good fortune or great fault in the enemy," yet he acted with the same vigour as though he felt secure of victory. He was indefatigable in his preparations for the impending struggle. The several fortifications were strengthened, vessels built to command Lake Champlain, and every exertion made to collect provisions, now becoming exceedingly scarce.

On the 14th of May, M. De Bougainville returned from France, bringing out with him decorations and promotions in abundance for

the officers who had distinguished themselves in the last campaign, and but a slender supply of food, needed much more. The Governor was instructed to undertake all in his power for the defence of Canada, for the conquest of which he was informed the British were making vast preparations, and the French minister wrote to Montcalm, "that the King relied upon his zeal and obstinacy of courage."

De Vaudreuil now addressed a circular to the militia officers, requiring them to be ready for marching in any direction at a moment's warning ; and, at the same time, sought to excite their patriotism by a stirring appeal.\*

But the most remarkable document which appeared in Canada at this period, was a pastoral letter from the Bishop, Henry De Pont Briant, to the clergy of his diocese, which gives considerable insight into the civil and religious condition of the people, and which he represents as most deplorable.†

\* "This campaign," said he, "will afford the Canadians an opportunity of signalising themselves. His Majesty well knows the confidence I have in them, and I have not failed to inform him of their services. His Majesty trusts they will make those efforts that are to be looked for from the most faithful subjects, more particularly as they have to defend their religion, their wives, and their property, from the cruel treatment to be expected from the English.

"With respect to myself, I am resolved not to consent to any capitulation, in hopes that this resolution may have the most ruinous consequences to the English. It is most indubitable, that it would be more merciful for the inhabitants, their wives and children, to be buried under the ruins of the Colony, than to fall into the hands of the English.

"It being highly necessary that the most prudent precautions should be taken to prevent a surprise, I have established beacons from post to post, along the south shore, below Point Levi, to be set fire to as soon as the enemy are discovered.

"We promise every protection to the inhabitants, their wives, children, and property, to prevent their falling into the hands of the English, who would make them suffer the same hardships and miseries experienced by the Acadians. In addition to which, we have the testimony of their late ill conduct, in their treatment of the inhabitants of Cape Breton, notwithstanding the capitulation, as well as those of the Island of St John.

"Their hatred is so well known towards everything that is Canadian, that they even make them responsible for the cruelties of a few Indians, still forgetting the measures we have taken to prevent a repetition of these actions, and the good treatment which the nation has at all times shown to them when prisoners.

"We have a real satisfaction in declaring that we entertain no apprehensions for the safety of the Colony, yet we shall adopt the most efficacious measures for securing to the inhabitants their rights and property."

† "You are not unacquainted, my dear brethren, with the immense preparations of the enemy, the designs formed to attack the Colony in four different parts, the

During the month of May, a council of war was held at Montreal, which after several meetings decided that a strong body of troops should be posted at Quebec under Montcalm; and that Bourlemaque should take post at Ticonderoga, and blow up the works on the

number of their regular troops and militia, six times at least superior to ours. Neither are you ignorant that they have sent emissaries to all the Indian nations to incite them to forsake us, and rouse those to take up arms against us who are willing to preserve a kind of neutrality. You are sensible, moreover, that they occupy those harbours at the lower end of our river, which hitherto we have regarded as so many barriers; you perceive every incitement to fear and terror, and you are undoubtedly astonished thereat. The uncertainty of the affairs of Europe, the many dangers to which the succours we expect are exposed, the numerous fleets destined for our destruction; the general scarcity that prevails of everything necessary for our defence as well as our subsistence even in peace, ought naturally to make the greatest impression on our minds. But what ought still to be the cause of the greatest chagrin, is the little zeal for piety observed everywhere, the injurious and wicked speeches maintained against those in whom we ought to place all our confidence; and what may create still further fear in us, are the profane diversions to which we are addicted with greater attachment than ever; the insufferable excesses of the games of chance; the impious hypocrisy in derision or rather in contempt of religion; the various crimes against Heaven, that have been multiplied in the course of this winter; all these, my brethren, ought to make us dread everything, and oblige me to declare to you, that God himself is enraged, that His arm is prepared to chastise us, and, in fact, that we deserve it. Yea, my friends, we tell it, in the face of the altars and in bitterness of our heart, that it is not the number of the enemy, nor their utmost efforts that affright us, and make us reflect on the impending disasters both on the state and on religion, but our manifold sins and wickednesses. Eighteen years have now elapsed since the Lord called us, though unworthy, to watch over this extensive diocese; we have frequently seen you suffer by famine, and disease, and almost continual war. Nevertheless, this year, it appears to us, is in all respects the most afflictive and deplorable, because in reality we are most criminal. Were there ever such open robberies, so many heinous acts of injustice, such shameful rapines heard of? Who has not seen, in this Colony, families devoted publicly, if I may so say, to crimes of the most odious nature? Who ever beheld so many abominations? In almost all ranks the contagion is nearly universal; however, my brethren, matters are not yet remediless, neither are our misfortunes irretrievable. The Christian faith teaches us that a true and sincere conversion can stop the avenging hand of divine justice, and that it even hath frequently stayed it. It is true the disease is great, but the remedy is in our own power. *O faithless Jerusalem, return to your God; and God, according to His promise, will deign to relent!* Atone, my dear brethren, I say, atone speedily for the past by tears of a sincere repentance; they will be acceptable to the merciful heart of God, who never punishes His creatures but with regret. Dear children, be diligent therein, sympathise with the ministers of the altar in weeping, wailing, and prayer. Implore the Lord with fervency to enlighten sinners with the misery of their souls, that He will affect and convert them; we mean those of our brethren who run to their own destruction; dread, lest you find yourselves involved in their calamities; and ye, O sinners! we beseech you, in the name of Jesus Christ, at least be no hindrance to the blessings we ask for

approach of the British, should he find himself unable to resist them. Crown Point was to share the same fate, and he was then to retire to an island at the head of Lake Champlain, and there, aided by the shipping, to make the most stubborn resistance possible, and thus prevent the junction of the armies under Amherst and Wolfe. To withstand any force which might descend from Lake Ontario, the Chevalier De la Corne, with eight hundred regulars and militia, was directed to intrench himself above Montreal, and there hold out to the best of his power.

The campaign of 1759 opened with the advance of Brigadier Prideaux, at the head of nearly four thousand regular troops and militia, and a large body of Iroquois, led by Sir William Johnson, against the fort at Niagara. Leaving a detachment under Colonel Haldimand to construct a tenable post at Oswego, the army embarked on Lake Ontario, the 1st of July, and coasting its southern shore landed on

you ; come, rather, we conjure you by all that is capable of affecting you ; come and solicit them of your own accord, with a spirit full of meekness and contrition. For these purposes, after conferring with our respectable brethren the Canons of our Cathedral Church, having invoked the holy name of God, we have ordered, and do hereby order, the due performances of the services herein directed. *Imprimis*, In the country parishes, on the first Sunday of every month, shall be a procession, without the host or sacrament, to the place and at the hour each of the rectors shall appoint. In that procession shall be sung the litanies of the saints, then the psalm *Miserere mei Deus* ; and immediately after the ancient and common prayers of salutation, the priest shall make an honourable atonement in the name of sinners, which he may find in the ritual for Trinity Sunday. Secondly, Every secular and regular priest shall add to the prayers of the mass the prayer of the *Deus Refugium*. Thirdly, In all the benedictions of the holy sacrament shall be sung the tract *Domine non secundum*, with the versicles and prayer for the remission of sins. Fourthly, In the different churches of Quebec—namely, the Cathedral, the Church of La Victoire in the Lower Town, the Seminary, the College of the Jesuits, that of the Recollets and Ursulines—shall be performed alternately a Nona or Ninth : the holy mass shall be celebrated at seven o'clock in the morning, the litanies of the saints, and the psalm *Miserere mei Deus* shall be sung thereat, an honourable atonement shall be made for sinners, and the whole concluded with the benediction of the sacrament, in the holy chalice only : on the working days, the votive masses of the Holy Angels, of the Holy Trinity, of the Holy Cross, of the Virgin Mary, for all necessities, for times of war and for peace, shall be said reciprocally. The mass of the patron of the church or chapel shall be said : first, at the Jesuits of Saint François Xavier, in the Lower Town at Ste Genevieve, at the Ursulines, and at the Seminary instituted for the conversion of the Indians. What is prescribed for Quebec shall be observed as much as possible at Montreal and at Three Rivers ; the camps and forts shall also observe what is appointed for the country parishes. This mandate shall be read after the Gospel of the mass of the parish, on the first Sunday immediately after the receipt thereof.”

the 7th at one of its inlets six miles east of Niagara. Situated at the apex of the angle formed by the junction of the river with the lake, the fort was easily invested on the land side, while the numerous armed boats of the British effectually intercepted all communication by water.

Pouchot, the French commandant, had no sooner learned the approach of the British than he despatched a courier eastward to Frontenac to solicit aid, and another to Detroit and the other western posts with orders to their commandants to hasten to his assistance with all the men they could spare, and as many Indians as could be collected. Confidently expecting succour, he determined to defend the fort to the last extremity, and returned a prompt refusal to the demand of the British general requiring him to surrender at discretion. "My post is strong," said he, "my garrison faithful; and the longer I hold out the more I will win the esteem of the enemy."

Prideaux planned his approaches with skill, and rapidly advanced them towards the defences, which soon began to crumble under a well-aimed and vigorous fire. Encouraged by the arrival of a small body of French and Indians, who succeeded at night in getting into the fort unobserved, the besieged made a sally on the 11th, but were almost immediately repulsed and driven in under the shelter of their guns. On the night of the 13th the British finished their parallels to the lake, and the next day their fire became so heavy that the besieged could only find safety in the covered way and behind their ramparts. On the 19th the French schooner *Iroquois* arrived from Frontenac, and lay off the fort, but dare not venture in, owing to the British guns, which night and day kept up a harassing and destructive fire. Still Pouchot held bravely out, and watched anxiously for the aid which the summer breezes of Erie should bring to his assistance, and which Prideaux, aware of its approach, had already taken measures to intercept. But the latter was not fated to see the successful issue of his skill and courage. On the evening of the 19th he was killed in the trenches, while issuing orders, when the command devolved on Sir William Johnson.

Meanwhile, De Aubrey rapidly descended from Detroit, at the head of twelve hundred Frenchmen, collected from the different posts towards the Ohio, and nearly fourteen hundred Indians. On the 23d four savages made their way into the beleaguered fort with a letter to Pouchot, informing him that succour was at hand, and that the British lines would speedily be attacked. But Johnson's scouts had given him ample intelligence of De Aubrey's approach, and he coolly prepared

for the combat. Leaving sufficient troops to guard the trenches, he threw forward strong pickets, on the evening of the 23d, to occupy the woods on either side of the rough forest road leading from Chipewewa to Niagara, and connected these by a chain of Indian skirmishers. These arrangements completed, and no enemy appearing, the troops lay down to rest with their arms in their hands. It was a warm July night, and the stars glimmered brightly down upon the sombre forest, now unruffled by even the faintest breeze. To the contemplative mind, the scene must have been one of peculiar solemnity and grandeur. Close at hand, the stillness was unbroken save by the monotonous breathings of the many sleepers, or the sentinel's tread. A little further on there was a brief pause around the beleaguered fort, and then its dark sides were suddenly illuminated by its own guns, or revealed by the red light of a salvo from the hostile trenches. From the distance, the dull boom of the cataract fell upon the ear like the noontide roar of life in London, or the rush of the approaching storm. The white tents of the besieging army, the watch-fires of the camp, the bright moon whose rays peered softly down amidst the sprays of the forest tree to glance from the polished muskets of the sleeping sentinel or the Indian's tomahawk, and the soft feathery cloud of spray that rose upwards from the Horse-shoe Falls, all tended to complete a scene of surpassing interest.

On the following morning, at daybreak, Johnson pushed forward his grenadier companies and part of the 46th regiment to strengthen his front, while the 44th regiment was formed in reserve to preserve the communication with the troops in the trenches, and to act wherever its assistance might be needed. About eight o'clock the head of the French column was perceived advancing through the woods, with large bodies of Indians covering either flank. As the enemy came on, the British outposts fell steadily back on the main body without firing, while the Iroquois pressed forward to parley with the French Indians, with a view of inclining them to peace. The latter refused to abandon their allies, and accordingly the warriors of the Six Nations again resumed their post on the flanks of the British.

De Aubrey now speedily formed his force, and advanced to the attack. Shouting their appalling war-cry the Indians burst through the woods, and fell furiously upon the British line, which coolly awaited their approach, and swept them away with a few rolling volleys. The close and steady fire with which they were received completely astonished the western warriors, and so thorough was

their discomfiture, that they disappeared altogether from the field of battle. Their flight left the flanks of the French completely exposed, and they were soon boldly turned by the Iroquois, who pressed rapidly forward through the woods, while the British held their ground in front with the utmost steadiness. Attacked on all sides by greatly superior numbers, the French hesitated, gave way, and, after an action of little more than half an hour, broke into utter rout. De Aubrey and all his surviving officers, with a great part of his troops, were taken prisoners, while the fugitives were rapidly pursued and slain or driven into the wilderness, where the numerous dead lay uncounted.

No sooner had Johnson withdrawn his forces from the battle-field, than he sent an officer with a flag of truce to inform Pouchot of the victory he had won, and exhorted him to surrender without further bloodshed. The French chief doubted the information, and requested that one of his officers might be allowed to see the prisoners, and hear the tale of their defeat from them. The request was granted, and thus assured of the hopelessness of aid, Pouchot surrendered up the fort and garrison. The terms were liberal. The French were to march out with all the honours of war, and then to lay down their arms on the lake-shore. The women and children were to have safe conveyance to the nearest port of France, while the garrison, six hundred strong, were to be conveyed to New York by the most convenient route. All stores, provisions, and arms, were to be given up to the British general, who undertook, on his part, to preserve his prisoners from every injury and insult, a promise which, unlike Montcalm, he faithfully redeemed. And thus did prudence and valour, with trifling loss of life, win the most important post on the great highway of the west. So decisive, indeed, was the victory, and so effectually did it weaken the western posts of the French, whose garrisons under De Aubrey had either been killed or captured, that the officer and troops sent from Pittsburg by Stanwix took possession of the forts as far as Erie without resistance. Johnson's modesty was equal to his merit. "I have only to regret," he writes in his despatch to Amherst, "the loss of General Prideaux and Colonel Johnson. I endeavoured to pursue the late general's vigorous measures, the good effects of which he deserved to enjoy."

While the siege at Niagara was in progress, a strong body of Canadians and Indians under La Corne, who had ascended to Frontenac, made a demonstration against the detachment left at Oswego by Brigadier Prideaux. On the 5th of July La Corne en-

deavoured to carry that post by surprise, by rapidly advancing some Indians and Canadians ; but these were speedily repulsed, although their fanaticism was incited to the utmost by a Jesuit, the Abbe Piquet. The attack was renewed on the following day, but a few discharges of grape and musketry speedily compelled the enemy to retire, and La Corne was under the necessity of departing without a single scalp, although, as some deserters stated, he had offered a large sum for a trophy of this horrible description.

Meanwhile the Commander-in-chief assembled the main army at Lake George, and had considerable difficulty in keeping the militia together, owing to desertion to their homes. Threats and promises and moderate punishments failed to keep them by their colours, till at length a general court-martial sentenced four deserters to be shot ; and even this terrible example did not altogether abate the evil. On the 22d of June, Amherst traced out the plan of Fort George, near the spot where Fort William Henry formerly stood, and on the 21st of July, every preparation being completed, his army, over eleven thousand strong, one-half of whom were regulars, with fifty-four guns, embarked and moved down the lake in four columns. Next day it landed near the place where Abercromby had disembarked the year before. The British vanguard, composed principally of light troops, pushed rapidly forward into the bush, and soon encountered a detachment of French and Indians, who were overpowered and dispersed. Amherst followed with his main body in good order, and halted for the night at the Saw-mills, preparatory to an assault on the French lines, which he learned from some deserters were guarded by De Bourlemaque, with a body of three thousand four hundred men, composed of regulars, Canadians, and Indians.

That night the British lay upon their arms, while every exertion was made to bring up the artillery. But, although Amherst's force was inferior to Abercromby's army, the French next morning withdrew from the lines which had enabled them to gain their victory of the preceding year, and fell back upon Fort Carillon. The British grenadiers immediately occupied the deserted intrenchment, and the rest of the army encamped a short distance to the rear. A sharp fire was soon opened from the fort on the British camp, but no loss was sustained owing to the great height and strength of the breast-work, which now proved a most effectual shelter. De Bourlemaque soon perceived that even the defence of the fort was impracticable, and, in pursuance of his orders in that case, silently abandoned it on the night of the 23d, leaving four hundred men behind to continue such resistance as might conceal his retreat. These carried out their



orders in the most effectual manner by making an assault upon the besiegers' trenches, where they killed and wounded sixteen men, and caused considerable confusion in the darkness of the night. During the 24th and 25th they kept up a constant fire on the trenches, and having got the range accurately, caused a good deal of trouble and some loss of life. On the night of the 26th, deserters brought intelligence to Amherst that the garrison had abandoned the fort, but left every gun loaded and pointed, mines charged to blow up the defences, and a lighted fuse communicating with the powder magazine. In a few moments a tremendous explosion confirmed their statements, and the next minute the flames of the wooden breast-work, barracks, and stores, fell far and near upon the lake and forest, their yellow hue deepened at intervals by the flashes of the bursting guns and exploding mines.

General Amherst promptly detached some light troops in pursuit of the retreating French, who captured several boats laden with powder and sixteen prisoners. At daylight a sergeant volunteered to strike the French flag, which still floated uninjured above the ruined fort, and raise that of Britain in its place. A detachment soon after succeeded in extinguishing the flames, when the work of repairing the fort was speedily proceeded with, while Captain Loring of the navy raised some French boats which had been sunk, and commenced the construction of a brig, in order to strengthen the British naval power, which was much inferior to that of the enemy on the lake.

The capture of Crown Point was the next important step to be accomplished, and Major Rogers was despatched with two hundred rangers to examine the position, establish himself in some strong post near the fort, and hold out, if attacked, till relieved by the advance of the army. But it was soon ascertained that the French had also dismantled and abandoned Crown Point, which was accordingly taken possession of by a British detachment. On the 4th of August, Amherst came up with his main body, encamped, and traced out the lines of a new fort, as a protection against the scouting parties of the French and Indians, who had so long been the terror of the British frontier settlements.

De Bourlemaque had retreated to the Isle-aux-Noix, at the northern extremity of the lake, where he strongly intrenched himself. Here, with a force of three thousand five hundred men, one hundred pieces of cannon, and four armed vessels commanded by naval officers, he determined to defend the entrance of the Richelieu to the last extremity. Amherst has been much censured for not carrying this post, and effect-

ing a junction with Wolfe at Quebec, but when his position comes to be fairly examined, it is at once evident that he has been unjustly condemned. The command of the Richelieu was then absolutely necessary to the descent of an army from Lake Champlain on Canada, it being the only open road, and a land force was utterly helpless before an enemy strongly intrenched on an island, and who held complete command of the surrounding waters with his fleet. Amherst under these circumstances had only two courses to pursue. One was to open a road through the forest, and push on to Montreal, leaving De Bourlemaque in his rear ; the other to obtain command of the lake, and drive him from his position. He wisely adopted the last course. Before, however, it could be fully carried out, the bleak winds of October swept the lake, and the main body of the British invading army was compelled to waste its strength in inaction on the very threshold of Canada. Nor was the force which Prideaux had led against Niagara more fortunate. On learning the death of that officer, Amherst had sent Brigadier Gage to assume the command, and instructed him to descend from Oswego with a sufficient force to capture Ogdensburg, or, as it was then called, La Presentation, where a Jesuit Father, the Abbe Piquet, had founded a flourishing Indian settlement in 1750. But Gage allowed his harvest-time of honour to pass away, to Amherst's infinite chagrin, and this important operation was deferred till the ensuing year.

While the bulk of the army lay inactive at Crown Point, a detachment of two hundred rangers under the indefatigable Rogers, already so distinguished in border warfare, was despatched to punish the Indians at Lake St Francis for detaining an officer and some men who had been sent with a flag of truce to offer them peace on condition of their remaining neutral. Rogers suffered the greatest hardships in penetrating the untrodden wilderness. One-fourth of his men dropped behind from fatigue, or perished in the march. Still he persevered, arrived in the vicinity of his destination on the evening of the 22d October, and pushed forward alone to reconnoitre. The Indians were engaged in the war-dance, and exhausted by fatigue, as midnight approached, they sunk into a profound slumber. But a foe as subtle as themselves, and infuriated by long years of injury, now hovered near, prepared to inflict the punishment their numerous massacres of women and children so justly merited. At two o'clock in the morning the British burst upon the sleepers with a loud cry of vengeance, and two hundred warriors were speedily slain, but the women and children were spared. Meanwhile a French detachment had captured Rogers's boats, and threatened to cut off his retreat.

Breaking into small parties, the British sought the shelter of the forest, and underwent the most extreme hardships before reaching a friendly settlement.

On the 10th of October a brig mounting eighteen guns arrived at Crown Point from Ticonderoga, and a sloop of sixteen guns being also ready, the army embarked in boats for Isle-aux-Noix, and proceeded up the lake in four divisions. But a severe storm and mishaps of various kinds retarded its progress, and although the greater part of the French fleet was destroyed, the lateness of the season rendered it useless to advance, and Amherst reluctantly retired to place his troops in winter quarters: a measure the more necessary as the Provincials had become unusually sickly. Thus closed the campaign of the British forces, which menaced Canada towards the west: it now remains for us to trace the operations in the St Lawrence.

As soon as the weather permitted Wolfe assembled his army, amounting to about eight thousand men, at Louisburg. It was divided into three brigades, led by Brigadiers Monckton, Townshend, and Murray, while its Adjutant-General was Isaac Barre, an Irishman of humble birth, eloquent, ambitious, and fearless, to whom the authorship of the Letters of Junius has been attributed, and who subsequently perished on his return from the East Indies. The fleet, consisting of twenty-two men-of-war and as many frigates and armed vessels, was under the command of Admiral Saunders, a brave, skilful, and kind-hearted sailor. On board of one of its ships was Jervis, afterwards Earl St Vincent, while James Cook, the celebrated navigator, who subsequently traversed the unexplored waters of the Pacific, and threaded his way amidst its many isles, was sailing-master of another.

On the 1st of June preparations were made to put to sea from Louisburg, yet fully six days elapsed before the huge armament had entirely cleared the land. While spreading sail the Admiral received the unwelcome intelligence, that his advanced squadron had suffered three French frigates and several store-ships to pass up the St Lawrence. Two vessels only were captured, on board of which were found charts of the river, which proved of the greatest service to the British fleet.

On the 26th the armament arrived safely off the Isle of Orleans, and preparations were promptly commenced for the disembarkation of the troops. Great were now the confusion and distress at Quebec, where the reverses of the preceding year's campaign had already produced the most dismal forebodings. To the clerical orders, especially,

the prospect of British rule was particularly unpalatable. This was forcibly illustrated while the British fleet was still ascending the river. The advance under Durell carried French colours till they arrived off Bic. Its inhabitants imagined in consequence that the expected succours had arrived from France, and messengers were despatched to Quebec with the intelligence. But when the white colours were struck, and the Union Jack hoisted in their place, their consternation and grief were inconceivable, and the occurrence so affected a priest, who stood on the shore with telescope in hand, that he dropped down and instantly expired.\*

Early on the morning of the 27th, the troops landed on the island, which the inhabitants had abandoned during the previous night, and with the fertility and beauty of which the soldiers were delighted after their wearisome voyage. The eye of genius has often since rested upon the magnificent *coup d'œil* which now burst upon the vision of their young general, from the western end of the isle, but the scene can hardly ever again awaken the emotions which then agitated his bosom. In the foreground, the white tents of his camp glanced in the sunshine; on his left lay the magnificent fleet at anchor; in his front, the citadel of Quebec was seen in the distance rising precipitously against the horizon, in the midst of one of the grandest scenes of nature, and apparently impregnable. For its defence the gallant Montcalm had exhausted, with the means at his disposal, every plan which ingenuity and skill could devise. Above Quebec the height on which the Upper Town is built, spreads out into an elevated table-land, suddenly terminated towards the river by steep declivities. In this direction, for nine miles or more to Cape Rouge, every landing-place was intrenched and guarded. Immediately below the city, the River St Charles, its mouth then closed by a boom and defended by stranded frigates, swept its rocky base, and expanded into marshes which afforded additional security. From thence to the Montmorency, a distance of eight miles, extended the position occupied by the French army, protected by numerous redoubts and intrenchments, the shoals and rocks of the St Lawrence, and almost impregnable. Behind lay the rich valley of the St Charles, and the pretty villages of Charlesburg and Beauport, which, with a few other hamlets, gave shelter and hospitality in the rear. For the defence of these formidable lines Montcalm had twelve thousand French and Canadian troops and about four hundred Indians.

As Wolfe gazed with intense interest on the prospect, to him at once beautiful and appalling, a storm suddenly gathered, and soon

\* Smith's Hist. Can., vol. i. p. 291.

the teeming rain veiled the opposite shore, while a dangerous hurricane swept over the river with destructive force. Transports were driven from their moorings and cast ashore, smaller vessels were dashed against each other and swamped, while the vessels of war with difficulty held to their anchors. Wolfe retraced his steps thoughtfully to the camp, somewhat discouraged by the great difficulties which he now saw clearly beset the enterprise he had promised Pitt to accomplish if possible. The storm passed away; evening soon merged into a night at once still and dark; and now Montcalm sent down six fire-ships on the receding tide towards the British fleet. From these shot and shell crashed among the trees and rocks, or left long seething furrows in the stream. Presently lurid flames burst from their hulls, caught the sails, and ran along the masts and spars in thin red lines, lighting up the river, the hostile camps, and the city in the distance. As the blaze increased explosion after explosion tossed the burning vessels hither and thither, the tide still carrying them steadily towards the fleet. The sentries terrified at a sight so unusual, and believing that the French were advancing in force, fell back upon their pickets, and these in turn on the main body, when the drums beat to arms. Daylight alone restored confidence and order. Meanwhile, a number of well-manned boats had put off towards the fire-ships, and the sailors, waiting till all the guns had exploded, fastened grappling irons to their hulls and towed them leisurely ashore.

Finding the channel at the Island of Orleans was neither a safe nor convenient anchorage in rough weather, Admiral Saunders determined to pass up into the basin, or harbour of Quebec, and learning that the French occupied, with some troops and artillery, the headland of Point Levi, from whence they could seriously annoy his ships, he requested Wolfe to take possession of it. This duty was assigned to Brigadier Monckton, who pushed forward one of his regiments on the evening of the 29th, and following next morning at daybreak with the rest of his brigade, soon occupied the point, despite a stout resistance by a body of Canadians and Indians, some twelve hundred strong.

In the possession of this post, Montcalm felt that the British had gained a dangerous advantage. From the first he had seen its importance, for although it was three-quarters of a mile from the city, heavy guns could play from thence with destructive effect. In a council of war he had urged that four thousand men should be strongly intrenched at Point Levi, and hold it to the last extremity, but was overruled by the Governor, and from that hour the general regarded

the latter with dislike. He made a feeble attempt to dislodge the British by attacking their position with three floating batteries, but these were repulsed by a single broadside from a frigate, which a fair wind speedily carried up to the scene of action.

Wolfe had already issued a proclamation to the inhabitants, offering safety in person and property if they remained neutral. But the counter-proclamations and threats of Montcalm, and their own national prejudices, held them fast in their allegiance. In company with the Indians they hung upon the skirts of the British army, cutting off and scalping stragglers whenever practicable, and Wolfe's soldiers, some of whom had been at the massacre of Fort William Henry and well trained in forest warfare, began to make reprisals of the same description, and burn and plunder on every opportunity. The British general endeavoured to restrain these excesses, but was ultimately so enraged by the cruel massacre of several of his men, that he allowed his light troops to retaliate on Indians, or on Canadians disguised like them, but forbid them, under penalty of death, to molest the peaceable inhabitants.

A battery at Point Levi, and another at the western point of the Isle of Orleans, gave sufficient security to the fleet. These were completed by the morning of the 9th of July, when three frigates of light draught opened fire upon the French lines below Quebec. Monckton, at the same time, marched his brigade along the opposite side of the river, in order to distract Montcalm's attention while Wolfe was taking post with the main body of his army on the eastern bank of the Montmorency. He was thus placed at an angle with the French lines along the St Lawrence, and in their rear, but the rapid current of the Montmorency, rushing over its rocky bed in impassable eddies and rapids, still separated the hostile armies. Three miles in the interior a ford was discovered, but the opposite bank was steep, woody, and well intrenched, and its passage impracticable in the face of a superior force. Not a spot along the Montmorency for miles into the interior, nor on the St Lawrence to Quebec, was left unprotected by the vigilant Montcalm, and Wolfe began to despair of forcing him to a battle on anything like equal terms. The French once defeated, he felt assured that Quebec, insufficiently supplied with military stores and threatened by famine, must surrender ; but to compel them to fight with a fair prospect of success to British arms was the great difficulty. Vainly did Wolfe penetrate the dense bush and rugged country along the Montmorency, in order to discover some favourable point to turn Montcalm's flank, and thus bring on a battle in rear of his lines. These

reconnaissances only led to the slaughter of his light infantry by the Indians and Canadians lurking in the secret places of the forest, and the British general soon saw that he must look for success in some other direction.

No sooner had Wolfe established himself at the Montmorency, than Montcalm, urged by the solicitations of the inhabitants of the Lower Town, who dreaded the destruction of their houses, resolved to hazard a night attack on Monckton's position at Point Levi. It failed completely, the Canadians missing their way and firing upon one another in the dark, with a loss to themselves of seventy killed and wounded, while the British lines were left wholly undisturbed. Next day a battery opened upon the town, the lower part of which was soon much damaged, and on the 16th a shell set a house in the Upper Town on fire. Fanned by a strong west-wind, the conflagration destroyed many buildings before it was arrested, and among others the great cathedral, with all its paintings, images, and ornaments. But the defences still remained uninjured, and the destruction of property caused by the fire from Point Levi, only diminished the value of the prize for which the British strove, without bringing them nearer to its possession.

Completely foiled in his endeavours to force Montcalm's lines, and bring on a battle below the city, Wolfe now determined to reconnoitre the bank of the river above it, and ascertain whether anything could be effected in that direction. To effect this reconnaissance the protection of a sufficient force was necessary, and accordingly towards midnight of the 18th, a small squadron under Captain Rous, favoured by a fair wind and tide, run the gauntlet of the enemy's batteries without being even discovered by the sentinels, two of whom Montcalm hung on the following day for their carelessness. The French speedily constructed a battery at Silvery to annoy Rous's squadron, but its fire only had the effect of causing him to weigh anchor, and to move a little farther up the river.

The French artillerymen had scarcely ceased firing at Rous's frigates, when a boat was observed skirting the southern shore, the mast of which they carried away by a shot. This boat bore Wolfe and Admiral Saunders on their way to reconnoitre the river's bank above. The keen eye of the general traced the outline of the precipitous hill on which stands Quebec, and beheld a natural fastness defended by cannon, boats, and floating batteries, at every assailable point. Matters looked just as unpromising above the town as below it; the banks were everywhere high and precipitous; at every

weak point intrenchments had been thrown up, and each movement of an enemy was jealously watched.

Wolfe was almost in despair ; yet he determined to persevere, in the hope that some fortunate occurrence would aid him. To divide and harass the enemy and obtain intelligence, he directed Colonel Carleton, who commanded the troops with Rous's squadron, to make a descent on the small town of Point-aux-Trembles, twenty-one miles up the river from Quebec, and to which many of the inhabitants of the city had retreated with their goods and valuables. A few Indians made a feeble resistance, and a number of useless prisoners, some plunder, and several packets of letters fell into the hands of the British. The latter furnished important intelligence. "The Governor and Montcalm have disagreed," said one ; "But for our priests and the dread of the savages we would submit," said another ; a third stated, "We are without hope and food ; since the English have passed the town, our communication with Montreal is cut off—God hath forsaken us." To increase the misery of the besieged, orders were now given to lay waste the surrounding country.

On the 25th, Wolfe proceeded up the eastern bank of the Montmorency, to examine some works which the French were erecting on the opposite side. His escort was attacked, and for a time hardly pressed by a strong body of Indians, who were only repulsed after a loss had been sustained of fifty killed and wounded. Next morning the 78th Highlanders surprised a French detachment, and slew nine of them. Scarcely a day passed away without skirmishes taking place. On the night of the 28th the French sent down a large fire-raft, but it was towed ashore without doing any injury, and Wolfe threatened that if any more such were made, they would be fastened to those vessels in which were the French prisoners. This threat had the desired effect.

July was now almost gone, and the British general as yet had effected little towards the capture of Quebec. It was true, he had severely harassed the enemy, and that he occupied the most important points in the neighbourhood of the beleaguered fortress, but its defences still remained untouched. Before leaving England Wolfe had been taught that his force was merely auxiliary to Amherst's army, and another man, with the formidable obstacles which everywhere encountered him, would have awaited its arrival. But with dauntless resolution he hoped on almost against hope, and although his constitution was rapidly breaking up, resolved to make every effort to serve his country.

The Montmorency after falling over a perpendicular rock expands



into shallows for a distance of three hundred yards, and flows into the St Lawrence at an obtuse angle. Near the apex of this angle Montcalm had placed a four-gun redoubt. The shallows of the Montmorency were fordable at low tide, and Wolfe now arranged with the Admiral, that one column should wade across the stream and assault this redoubt, while another disembarking from the boats of the fleet supported the movement from the St Lawrence. Meanwhile, the batteries from beyond the Montmorency were to sweep the French lines, while that at Point Levi was to play vigorously on the city. Could he possess himself of this redoubt and turn the right of the French line, Montcalm must then either fight or retreat. In the latter case the St Charles, defended by a boom and two stranded frigates, would still be between Wolfe and the town; but one difficulty overcome, he trusted to surmount the other.

On the 31st July, every preparation being made, three vessels of light draught, two of which, however, grounded, run in-shore, and opened fire upon the redoubt. The movements of the British warned Montcalm of their true point of attack, and he promptly made disposition to baffle it by a flank movement across the ford of the Montmorency, to capture their batteries, while their main body wasted its strength against his intrenchments. The British general, however, saw his intention, and directed the 48th, left in the works at Point Levi, to push up the river as if to attack the French position above the city. This proceeding compelled Montcalm to relinquish his flank movement, and detach the two battalions he intended should accomplish it, to observe the 48th. Meanwhile, night was coming on apace, and a storm already darkened the distant horizon; but Wolfe, observing disorder in the enemy's line, owing to new formations of troops, gave the signal to advance at five o'clock, and with a loud cheer the sailors bent to their oars, and the long motionless flotilla sprung into life. Some of the leading boats grounded on a rock, others were swamped by the guns of the enemy, and for a brief space it seemed as though the British would be beaten back. Wolfe sprang into a cutter and soon discovered a safe passage to the shore, to which a few pulls carried the flotilla. The next moment the eager troops jumped upon land, when the French gave a parting volley, abandoned the redoubt, and retreated to their intrenchments, crowning the crest of the slope beyond.

Thirteen companies of grenadiers and some Royal Americans were the first ashore. These had orders to form in four columns on the beach, and wait the arrival of the remainder of the troops from the boats, and Townshend's brigade already advancing across the Mont-

morency. But proud of their post of preference, exasperated at their long delay, and regardless of the orders of their officers, they rushed forward to storm the French intrenchments. Wolfe saw that this rash valour had ruined the fortunes of the day, and instead of supporting the advance of his grenadiers, whom he strove ineffectually to recall, formed the remainder of his troops in admirable order on the beach to cover their inevitable retreat.

Meanwhile the storm burst, the ground became slippery, and the teeming rain soon spoiled the ammunition of the grenadiers. Still they pressed on, relying upon the bayonet, although they could scarcely keep their feet. But one close and steady volley from the French was sufficient to roll them back from the crest of the hill, when they sullenly retired, leaving over two hundred of their killed and wounded behind at the mercy of the Indians, who speedily swarmed across the field. The evening was far advanced, the tide was beginning to flow, the ammunition of the whole army had been damaged by the rain, the French, who had suffered little or no injury, while the British were weakened by the loss of thirty-three officers and four hundred and ten men, had concentrated their strength, and all that Wolfe could now do was to effect an orderly retreat. Such of the wounded as could yet be saved were carried from the field, the stranded ships were abandoned and burnt, and the flotilla embarked and rowed away from the fatal shore, while Townshend's and Murray's brigades recrossed the ford without interruption, and resumed their position on the heights east of the Montmorency.

In the meantime, Admiral Holmes had joined Rous's squadron above the town, and twelve hundred men were now despatched, under Brigadier Murray, to aid in the destruction of the French vessels which had retired up the river. These avoided the danger of capture by sending their guns and stores ashore and taking refuge in the shallows towards Montreal, one brigantine excepted, and which having grounded was abandoned and destroyed. Murray, as the fleet advanced up the river, found every landing-place fortified, and the French on the alert. After two fruitless attempts to disembark, he finally effected his purpose at the village of D'Eschambault, thirty-nine miles from Quebec, which was defended by some invalid soldiers, and carried without difficulty. A few prisoners of some importance were taken, and letters fell into Murray's hands, from which he learned the occupation of Ticonderoga and Crown Point by Amherst, and the capture of Niagara by Johnson. Finding that he could effect nothing of importance, the brigadier hastened down the river to convey this glad intelligence to Wolfe. He found the general, chagrined

by the failure at Montmorency, and worn out by his exertions, stricken with fever, and unable to bear the presence of his officers. Still the British batteries thundered vigorously from the heights of Montmorency on the French lines, while the fire from Point Levi laid waste the city. On the morning of the 10th of August, at one o'clock, a shell pitched upon the vaulted roof of a cellar in the Lower Town, and burst beneath, igniting a large quantity of brandy which was stored there. The flames quickly spread, and nearly the whole of the quarter was burned down, including the church erected to commemorate Phipps's defeat. A fire broke out at the same time in the Upper Town, but did not do much injury.

Amherst's and Johnson's successes, though gratifying in themselves, gave no hope to Wolfe of aid before the close of the campaign. The difficulties which had hitherto impeded his own progress, taught him what they had to encounter, and he saw that he must depend solely on himself, and struggle on unaided. The numerous body of armed men under Montcalm "could not," he said, "be called an army;" but, the French had probably the strongest country in the world to cover the approaches to the only vulnerable points of the town. The keen eye of the Indian scout prevented surprise, the peasantry, so long as they could be kept together, being thoroughly exasperated by the forays of the British troops, and incited by their clergy, were zealous to defend their homes, their language, and their religion. Every one able to bear arms was in the field, and old men and boys fired upon the English detachments from every position which gave them concealment—from the edges of the woods, from behind rocks and houses. Nevertheless Wolfe felt that every exertion must continue to be made, and while yet disabled by sickness, laid a plan before his brigadiers, embracing three different and equally desperate methods of attacking Montcalm in his intrenchments below the town. They unanimously rejected them all, and adopted instead Brigadier Townshend's plan of landing an army above the town, and thus draw the French from their impregnable position to an open action. "I have acquiesced in their proposal," said Wolfe in his admirable despatch to Pitt of the 2d September, alluding to the course recommended by his brigadiers, "and we are preparing to put it into execution. There is such a choice of difficulties, that I am myself at a loss how to determine." Attended by the Admiral he once more examined the citadel with a view to a general assault. Although every one of the passages from the Lower to the Upper Town was intrenched, the gallant Saunders was willing to join in any hazard for the public service.

But the general saw that the undertaking promised no success, and while he had the main force of Canada to oppose, the magnificent fleet could give him no assistance.

But if Wolfe's difficulties were great, so also were those which surrounded Montcalm. He knew not where to turn for a ray of hope, except to the now rapidly approaching winter. Danger menaced him on every side. Gage threatened him from Lake Ontario, Amherst from Lake Champlain, while the stately fleet riding securely at anchor below left no hope of succour from France. The speculation and misconduct of the civil officers wasted his resources, and he hesitated not to tell even the Governor himself, that he had sold his country; "but while I live," exclaimed the intrepid soldier, "I will not deliver it up." "Of one thing I can assure you," wrote he to a friend, "I shall not survive the probable loss of the Colony. There are times when a general's only resource is to die with honour; this is such a time; no stain shall rest on my memory." But he found consolation in the fact, that the conquest of Canada must speedily lead to the independence of the British colonies. Provisions and ammunition were becoming scarce in his camp, and the unhappy peasants stole to their homes by dozens to gather in their harvest. He scourged some offenders, hanged others, and threatened their villages with the vengeance of the savages; yet he could not keep them together, and was finally obliged to allow two thousand of the militia to depart, to gather in their crops, at the most critical period of the campaign.

The new plan of operations adopted by Wolfe, rendered the concentration of his troops at Point Levi necessary, and preparations were at once made to evacuate the position at the Montmorency. These were all completed by the 3d September, when the troops safely crossed over the river. The vigilant eye of Montcalm had anticipated this movement from the unusual stir among the British, and he marched two strong columns to attack them while embarking. Monckton, from the heights of Point Levi, discovered the danger which menaced the retiring brigades, and embarking a strong detachment in boats which were protected by some sloops and frigates, rowed towards the Beauport shore, as if about to assault the French lines. Montcalm was accordingly compelled to recall his battalions for their defence, and to permit the British troops at Montmorency to embark without molestation.

On the 7th, 8th, and 9th, Admiral Holmes constantly manœuvred his fleet above the town, and harassed the enemy by threatening their different posts. Wolfe had partially recovered, and in company

with his brigadiers now closely reconnoitred the bank of the river, in the hope of discovering some point by which his army could ascend to the Plains of Abraham. At length, about three miles above the city, he discovered a narrow path winding up the steep precipice from the water's edge, at a point where the bank curved slightly inward, and which is now known as Wolfe's Cove. Two men could scarcely ascend this path abreast, yet here he determined his army should disembark, and take the guard at the summit, which he knew by the number of tents could not exceed a hundred, by surprise. Once on the plains above, the French must give him battle.

Preparations were promptly commenced for the execution of this plan; and in order to deceive Montcalm as to the true point of attack, Cook, the great mariner, and others, were sent to sound the river at Beauport, and plant buoys along the shore, as if an assault was intended in that quarter. But the real design was kept carefully secret, as otherwise the treachery of a single deserter would have prevented its execution. On the morning of the 12th one of the Royal Americans did go over to the enemy, but from the caution observed was unable to warn them of their danger. At the same time a French deserter brought most important intelligence to Wolfe. "The main force," said he, "is still below the city, and our general will not believe that you meditate an attack anywhere but from the Montmorency side. The Canadians are alarmed by the fall of Niagara, and in great distress for provisions. De Levi, with a large detachment, has left us for Montreal to meet Amherst, and De Bougainville, with fifteen hundred men, watches the motions of your fleet in the upper river."

As evening approached the heavier ships of the line moved towards the Beauport shore, and anchored as near it as the water would permit, when the boats were lowered and filled with sailors and marines, as if to make a descent on the French intrenchments. While the enemy's attention was thus occupied, all the smaller ships of the fleet suddenly spread out their sails, and with a fair breeze swept proudly past the batteries of Quebec, and soon joined Holmes's squadron at Cape Rouge. At the same time Monckton's and Murray's brigades pushed up along the river from Point Levi, till they arrived opposite the fleet, on board of which they embarked without being observed by the enemy. At nine o'clock the first division of the army, sixteen hundred strong, silently removed into flat-bottomed boats, and waited the orders of their chief.

It was a pleasant autumn night, and the full lustrous stars of a northern firmament twinkled cheerfully down on the noble current of the St Lawrence, as Wolfe quietly passed from ship to ship to make his final inspection, and utter his last words of encouragement. In a pure and gifted mind like his, the solemn hour could scarcely fail of awakening befitting associations. He spoke of the poet Gray, and the beautiful legacy he had given the world in his "Elegy in a Country Churchyard." "I would prefer," said he, "being the author of that poem to the glory of beating the French to-morrow;" and, while the cautious dip of the oars into the rippling current alone broke the stillness of the night, he repeated:—

"The boast of heraldry, the pomp of power,  
And all that beauty, all that wealth e'er gave,  
Await alike the inexorable hour,  
The paths of glory lead but to the grave."

About one o'clock, on the morning of the 13th, the order to advance was given, and the flotilla dropped silently down with the receding tide, Wolfe commanding in person. He still continued his poetical musings, but his eye at the same time was keenly bent on the outline of the dark heights, beneath which he floated past. He recognised at length the appointed spot, and leaped ashore. Meantime, the current had carried a few boats lower down, which had on board the light company of the 78th Highlanders. These were the first troops to land: without a moment's hesitation they scrambled up the face of the wooded precipice, clinging to the roots and branches of trees. Half the ascent was already won, when for the first time the "*qui vive*" of the French sentry above was given. "*La France*," promptly answered M'Donald, the Highland captain, with ready self-possession, and the sentinel shouldered his musket and pursued his rounds. In a few minutes, however, the unusual rustling among the trees near at hand alarmed the sentinels, their guard was turned out and fired one hurried volley at the Highlanders, then panic-stricken turned and fled. By this time another body of troops had pressed up the pathway, and possessed themselves of a four-gun redoubt which commanded it. As day dawned Wolfe stood with his invincible battalions on the Plains of Abraham, the battle-field which gave a new empire to the Anglo-Saxon race. Only one gun, however, could be got up the hill, so difficult was the ascent.

Meanwhile, Montcalm had been completely deceived by the demonstration against his lines below the town. All night long boats plied off and on from the shore, while the ships of war swept the beach with their fire, as if to keep it clear for the landing of troops. Daylight at length came on; yet he knew nothing of the danger that menaced him in another direction. Presently the morning breeze bore along the boom of a distant gun, and the scattered roll of musketry, from above the beleaguered town. While he yet doubted as to their cause, a horseman galloped up and told him the British had ascended to the Plains of Abraham. "It can be but a small party come to burn a few houses and retire," said Montcalm in amazement. The man persisted that the British were there in force. "Then," said the general, "they have at last got to the weak side of this miserable garrison; we must give them battle and crush them before mid-day."

Leaving Governor De Vaudreuil behind with fifteen hundred militia, and despatching a courier to recall De Bougainville, Montcalm hurried his troops across the valley of the St Charles, over the bridge, and along the northern face of the ramparts to the battle-ground, where Wolfe, having already formed his line, calmly awaited his approach. The 35th regiment were posted on the extreme right near the precipice. On their left stood the grenadiers of Louisburg; the 28th, the 43d, the 58th, the 78th Highlanders, and the 47th, completed the front, led by Wolfe and Monckton on the right, and Murray on the left. The second line, composed of the 15th regiment and two battalions of the 60th or Royal Americans, was led by Townshend. The 48th regiment, in four columns, formed the reserve under Colonel Burton. Colonel Howe, with the light infantry posted in houses, or scattered through the neighbouring coppices, covered the left flank and rear. The right flank was effectually protected by the precipice. The entire British army was somewhat under five thousand men, but they were all well-trained veterans.

About six o'clock, small bodies of the French troops deployed on the slopes near the ramparts of the city; by seven, they mustered more numerous, and brought up two field guns, which caused some annoyance to the British. Towards eight o'clock, Montcalm had arrived with the bulk of his army, which he formed in three distinct masses on a slope to the north-west of the city, where they were sheltered from Wolfe's solitary but mischievous gun. At nine, he pushed to the front, and began to form his line of battle, being assured that De Bougainville was close at hand, and whose light cavalry, of which he had three hundred and fifty, already threatened

the British left. His centre was formed of seven hundred and twenty regular troops and twelve hundred militia. The right was composed of sixteen hundred veterans and four hundred militia : on the left were thirteen hundred trained soldiers, supported by two thousand three hundred of the Canadian levies. His total force thus amounted to seven thousand five hundred and twenty men, besides Indians, who were not less than four hundred.\* Of this force scarcely one half were regular troops, but the expected arrival of De Bougainville would add fifteen hundred veterans to his army, and, he trusted, enable him to win the battle and save Quebec.

Montcalm designed to avail himself of his superior force, by out-flanking the British left, and thus crowding them towards the landing-place, where he would assail them again with his own left and centre, while De Bougainville threatened their rear. Thus attacked on three sides of a square at the same time, he considered that the stubborn courage of the enemy must give way. The British position formed two sides of a square, one of which was occupied by their line of battle, the other by Colonel Howe's light infantry, who, as already stated, thus covered the left flank and rear.

Agreeably to his plan of operations, Montcalm began the battle at ten o'clock, by assailing Howe's position with a strong body of Canadian and Indian skirmishers, who speedily drove in the British pickets on their supports. Under cover of the cloud of smoke which soon rose over this part of the battle-field, the veterans of the French right wing passed swiftly at an angle with the British left, and fiercely assaulted their light infantry. Howe felt the importance of his post, and made a stout resistance. His men fell fast, but in a few minutes Townshend, with the 15th regiment and two battalions of the 60th, came to his aid, and the assailants were speedily beaten back with heavy loss.

The attempt to out-flank the British left being thus completely defeated, Montcalm's only resource was to attack their right and centre. Throwing forward a swarm of skirmishers, their fire speedily dislodged the few light infantry with which Wolfe had covered his front, and drove them back in disorder on the main body. This occur-

\* Bancroft estimates the French army under five thousand, but quotes no authority in support of this statement. Smith, who wrote shortly after the battle, and had access to the most accurate sources of information on this head, gives the number as above. He also furnishes the official return of the British army on the morning of the battle, showing its strength to be exactly four thousand eight hundred and twenty-eight on the field. Garneau is inaccurate and partial in this as well as in numerous other cases.



rence somewhat alarmed the British troops, but Wolfe, hurrying along the line, cheered them by his voice and presence, and directed them on no account to fire without orders. He speedily succeeded in restoring confidence. Recalling his light troops, Montcalm now pushed forward his whole centre and left, and which with loud cheers and arms at the recover moved boldly on to the attack. As the smoke of the skirmishers' fire cleared off from the battle-field, the long ranks of the French were seen rapidly approaching the British position. At the distance of one hundred and fifty yards an oblique movement from the left gave their lines the appearance of columns, which chiefly threatened Wolfe's right wing. Another moment passed, the French paused, and from flank to flank poured a murderous and rapid fire upon the British line. The 35th and grenadiers fell fast. Still not a shot was returned. Wolfe was struck in the wrist, but wrapping a handkerchief around the wound he hurried from rank to rank, warning his men to reserve their fire for a shorter and deadlier range. Not a single trigger was pulled. With arms shouldered as if on parade, and motionless, save when they closed upon the ghastly gaps made in their ranks by the French fire, these gallant men waited the word of command with that indomitable endurance which has ever characterised the British soldier when properly trained and led.

The French were still unharmed, their confidence increased, and with a loud cheer they pressed forward against the British. A few moments more and only forty paces separated the combatants. And now the clear voice of Wolfe giving the word to fire rises over the field. The order passes like an electric shot along the British line ; its long row of muskets is swiftly levelled ; and the next instant a well-aimed volley, almost as distinct as a single shot, rolls over the battle-field. It fell with terrible effect upon the advancing foe. Numbers of the French soldiers reeled and fell at once, others staggered for a moment, then dropped aside to die ; others, again, burst from the ranks shrieking in agony. Presently the breeze which blew gently across the battle-field, carried away the smoke of one of the deadliest volleys that ever burst from British infantry, and the assailing battalions were seen reduced to mere groups among the slain.

Scarcely fifteen minutes had elapsed since Montcalm had made his principal attack, and already the battle was lost. The Brigadier De St Ours was killed, and De Senezergues, the second in command, mortally wounded, while the Canadian militia had already broken and fled in confusion. Still the gallant Frenchman was not dismayed. Riding through the shattered ranks he cheered the men

with his voice, and induced them to reform. Meantime the British troops had reloaded, and Wolfe resolving to take advantage of the disorder in the French ranks, ordered his whole line to advance, placing himself at the head of the 28th and grenadiers. For a few minutes they move forward steadily, then their pace increases to a run, and with bayonets at the charge they rush upon the French. Just then Wolfe was wounded a second time in the body, but still pressing forward he received a ball in the breast. "Support me," he said to an officer near him, "let not my brave fellows see me fall." He was carried to the rear, and water was brought him to quench his thirst.

Still the British pressed forward with fiery valour. On the right, the 35th swept all before them; in the centre, the 28th and Louisburg Grenadiers moved firmly on; on the left, the 58th and 78th overcame a stubborn and bloody resistance, and the last corps with its terrible claymore followed swiftly in pursuit, and supplied the want of cavalry. The fierce struggle fell heavily on the British, but was terribly destructive to the French. They wavered under the carnage; but Montcalm, galloping among his stubborn veterans, called on them to reform, and again oppose the advancing foe. His efforts were vain; the head of every formation was mowed down by the terrible fire of the British, who again rushing forward at the charge compelled his troops to give way in every direction. At this critical period he fell mortally wounded, and from that moment all was utter rout and confusion on the side of the French.

Wolfe's life ebbs fast away; yet from time to time he essays to look upon the battle, and clear away the death-mist that gathers on his sight. Presently his spirit draws nearer "to that bourne whence no traveller returneth;" he sinks backward and gives no signs of life beyond a heavy breathing, and the occasional groan of painful dissolution. The French fly in all directions. "They run! they run!" exclaimed some of the officers who stood by their dying general. "Who runs?" eagerly asked Wolfe, like one aroused from sleep. "The enemy, sir," answered the officer who supported him, "they give way everywhere." "Go one of you to Colonel Burton," said Wolfe, "and tell him to march Webb's regiment (the 48th) with all speed down to the St Charles River to cut off their retreat." His voice grew fainter and fainter as he spoke, and he turned as if to seek an easier position on his side. Four days before he had looked forward to an early death with dismay, but he now felt he would breathe his last breath on the field of victory, and that he had well done his duty to his country. "Now God be praised! I die happy,"

said the gallant soldier faintly, yet distinctly: and Wolfe, who had won a new empire for his race, passed from this material world to immortality. But while tongue can speak or pen record the annals of the past, he will never be forgotten. In a few brief years he had crowded actions that would have reflected lustre on the longest life. The morning of his career had given promise of no ordinary greatness, that promise was more than realised at a period when other men only appear prominently on the world's stage, and his day closed as it reached its meridian in the blaze of one of the most momentous victories that has ever marked the annals of the human race.

Grape shot from the ramparts of Quebec, and the fire of the frigates grounded in the St Charles, checked the pursuit of the British, whose rear was already threatened by the near approach of De Bougainville's formidable corps of veterans. Monckton had been shot through the lungs, and Townshend, now the senior officer, hastened to recall his disordered battalions to oppose this new enemy. His arrangements were strictly defensive; and while forming his line of battle he advanced the 35th and 48th, with two field-pieces, one of which had just been captured from the French, to meet the advancing force, and if possible to check its approach. But the news of Montcalm's total defeat speedily reaching De Bougainville, he declined meeting a victorious enemy, and hastily retreated to Cape Rouge. On the same day De Vaudreuil, with his one thousand five hundred Canadians, deserted the lines below Quebec, and leaving all his artillery, tents, ammunition, and stores behind, made a hurried retreat towards Jacques Cartier.

The loss of the British in the memorable battle of the Plains of Abraham, amounted to fifty-nine killed, and five hundred and ninety-seven wounded of all ranks; that of the French to six hundred killed, and over one thousand wounded and taken prisoners.\* The militia were completely disorganised by the defeat, and a large proportion of them never rejoined their colours. As they ran away when they saw victory inclining towards the British, they suffered much less than the regular troops, who were almost destroyed.

\* I have followed Smith and Russell in giving this estimate of the French loss. Every probability is in favour of its correctness. Besides Wolfe, the British had of officers, one captain, six lieutenants, and one ensign killed. One brigadier, (Monckton,) the Quarter-master-General, (Barre,) three staff officers, fourteen captains, twenty-six lieutenants, and eleven ensigns were wounded. *Vide* War Office Return of killed and wounded on 13th September 1759. Previous to the 13th, Wolfe's army had lost one hundred and eighty-two killed, six hundred and fifty-five wounded, and seventeen missing.

From the field of battle and its immediate results—from the last moments of the immortal Wolfe, let us now turn aside for a brief space and stand at the bedside of the gallant Montcalm. When his wound was dressed, he asked the surgeons if it was mortal, and being answered in the affirmative, calmly said, “I am glad of it; how long can I survive?” “Perhaps a dozen hours, and perhaps less,” was the reply. “So much the better,” rejoined the general, “I shall not live to see the surrender of Quebec.” To a council of war which hastily assembled, he showed that in twelve hours all the troops near at hand might be concentrated, and the British attacked before they had time to intrench themselves; but his proposition was overruled.\* With him the hope of France in Canada was departing. De Ramsay, who commanded the garrison, asked his orders about defending the city. “To your keeping,” he replied, “I commend the honour of France. I wish you all comfort, and to be happily extricated from your perplexities. As for me, my time is short, I shall pass the night with God, and prepare myself for death.” To another he said, “Since it was my misfortune to be discomfited, and mortally wounded, it is a great consolation to be vanquished by so noble and generous an enemy.” He shortly afterwards called for his chaplain, who, with the bishop, administered the last offices of his religion, and remained with him till he died next day. Thus terminated the career of a great general and a brave man. Trained from his youth in the art of war; laborious, just, and self-denying, he offered a remarkable exception to the venality of the public men of Canada at this period, and in the midst of universal corruption made the general good his aim. Night, the rushing tide, veteran discipline, and more brilliant genius, had given his rival the victory, yet he was not the less great; and while the name of Wolfe will never be forgotten, that of Montcalm is also engraved by its side on the enduring scroll of human fame. The latter has been censured for not abiding the chances of a siege, rather than risking a battle. But with a town already in ruins, a garrison deficient in provisions and ammunition, and an enemy to contend with possessed of a formidable siege train, the fire of which must speedily silence his guns, he acted wisely in staking the issue on a battle, in which if he found defeat he met also an honourable and glorious death.

No sooner had his men recruited themselves after the fatigues of battle, and the wounded been cleared from the ground, than Townshend promptly proceeded to intrench himself, and secure his position from assault by the construction of redoubts. The communica-

\* Raynal's America, vol. ii. p. 128.

tions of the city with the country were next cut off as far as possible, and the erection of breaching batteries rapidly pushed forward. By the evening of the 17th no less than sixty-one pieces of heavy artillery, and fifty-seven of smaller calibre, had with the united labour of soldiers and sailors been dragged to the camp. To support the land-force Admiral Saunders had already moved the whole of his fleet into the basin, preparatory to an attack on the Lower Town. The besieged had endeavoured to retard these operations by constantly plying their guns, but their exertions were ineffectual, and to their great dismay the trenches of the British rapidly rose up before them.

Governor De Vaudreuil had retreated precipitately, without throwing provisions into the city, and the small supply furnished by the cavalry of De Bougainville, who had established himself at Beauport, was of scarcely any importance. Reduced to a few ounces of bread per diem, extreme famine now menaced the wretched garrison. The unhappy citizens pressed De Ramsay to capitulate before they were reduced to the last extremity. "We have cheerfully sacrificed our houses and our fortunes," said they, "but we cannot expose our wives and children to massacre." De Levi, at Montreal, had already heard of the death of Montcalm, and by request of De Vaudreuil hastened to Quebec to assume the chief command. He arrived at the French head-quarters, in the neighbourhood of Jacques Cartier, on the 16th, and immediately convened a council of war, at which it was determined to raise the siege if possible. A message was despatched to De Ramsay, to tell him to hold out to the last extremity, as on the 18th the whole French army would be in motion, and a disposition made to throw in a large supply of provisions, and relieve the town. But this intelligence came too late. On the evening of the 17th the terms of capitulation had been agreed on; early next morning they were fully ratified and Quebec surrendered. In the evening the keys of the city were delivered up, and the Louisburg Grenadiers marched in, while at the same time Captain Palliser, of the navy, with a body of seamen, took possession of the Lower Town. De Levi heard all this at Cape Rouge, whither he had advanced with his disposable force, and immediately retired to Jacques Cartier, whence he shortly afterwards proceeded to Montreal, leaving De Bougainville to watch the enemy.

Quebec had at length fallen. All the British colonies rung with exultation; towns were illuminated, bonfires flashed on the hills of New England; and legislative halls, the pulpit, and the press echoed the tumultuous sounds of joy that arose over the land.

Wolfe's despatch of the 9th September had caused the British nation to despond only for two brief days, when intelligence arrived of his victory, his death, and the surrender of Quebec. A generous people bewailed his untimely end while they rejoiced in his triumph. Parliament voted him a monument in Westminster Abbey, Lord Dalhousie subsequently erected a pillar in honour of him and Montcalm at Quebec, and Lord Aylmer placed a memorial where he fell. His body was embalmed and conveyed to Greenwich, where it was placed beside his father, who had died only a few months before.

## CHAPTER IX.

### SURRENDER OF CANADA TO GREAT BRITAIN.

THE cold and stormy weather which threatened the British soldiers with sickness, and the fleet with accident, led Saunders and Townshend to grant very favourable conditions to the garrison of Quebec,\* amounting to about one thousand troops of all ranks. They were permitted to march out with all the honours of war, to be afterwards conveyed to the nearest port in France. On laying down their arms the inhabitants were to be protected in their persons and property, and permitted the free exercise of their religion, while churches and convents were to be shielded by guards from insult. These conditions were faithfully fulfilled by the British; and so grateful were the people for the clemency shown them, that numbers came of their own accord to take the oath of allegiance to King George II.

On the 18th of October the entire fleet, with the exception of the *Racehorse* of twenty and the *Porcupine* of eighteen guns, departed for Halifax or England. Brigadier Townshend at the same time proceeded home, while Monckton went to winter in the milder climate of New York, where he soon recovered from his wound. To Murray was intrusted the government of Quebec, with Colonel Burton as his lieutenant-governor, and the troops of all ranks and arms, now amounting to only some five thousand men, for his garrison.† The sick and wounded, who were not likely to recover speedily, were taken home in the fleet. Soon after its departure a French vessel, bearing despatches from the Marquis De Vaudreuil and the Intendant, passed secretly down by Quebec during a fog, and after escaping many dangers arrived safely in France. These despatches were filled with criminations and recriminations. De Vaudreuil bitterly censured De Ramsay for his precipitate surrender of Quebec, while others

\* General Townshend's Letter to Pitt, September 20th, 1759.

† Smith's Canada, vol. i. p. 321.

held up his own flight from the lines at the Montmorency in no very flattering terms.

The condition of Canada, so recently the most important colony of France, had been completely altered by one disastrous campaign. Shut out from Lake Champlain, by the loss of Ticonderoga and Crown Point; from the west, by the fall of Niagara, while the conquest of Quebec excluded her from the sea-board, all the posts of importance that now remained in French hands were those of Three Rivers, Montreal, Frontenac, Detroit, and Mackinaw. The strongest positions had all passed into British hands, and many of the bravest veterans of France had found graves in the land which their valour had vainly striven to defend, or had been borne away as prisoners across the Atlantic. The condition of the unfortunate habitants was most deplorable. Every hamlet had its sick or wounded men. Provisions became scarcer than ever as winter progressed, rose to famine prices, and many people perished from want. At length the farmers would scarcely part with their provisions at any price; still, Bigot and the commissary-general, Cadet, managed by force at one time, by threats and promises at another, to procure a scanty subsistence for the troops at Montreal. Even at Quebec, the British soldiers suffered severely owing to the want of fresh provisions. Scurvy broke out amongst them from the almost continual use of salt food and biscuit, and carried off eight hundred men, while it rendered nearly twice that number unfit for duty.

During the winter Murray made every exertion to strengthen the defences of Quebec, and provide for the comfort of the garrison. He erected eight timber redoubts outside the defences towards the Plains of Abraham, and armed them with artillery, laid in eleven months' provisions in the citadel, and repaired five hundred of the injured houses as barracks for his troops. He likewise established outposts at favourable points in the neighbourhood, which proved of considerable advantage in concealing his movements from the enemy, collecting provisions, and confirming the country people in their allegiance, eleven parishes having already placed themselves under the protection of the British.

Meanwhile the French troops at Jacques Cartier were not idle. They harassed the British outposts whenever an opportunity presented itself, while De Levi, at Montreal, steadily pushed forward preparations for the recapture of Quebec in the spring, before suc-

cour could arrive. The moment the weather permitted he  
1760. directed the French vessels, which had escaped up the river from Saunders's fleet, to be refitted, the small craft to be repaired,



and galleys built, on board of which he placed stores and ammunition withdrawn from the forts at St John's and Chambly, and such other supplies as he could collect. De Vaudreuil seconded these exertions by publishing an inflammatory address to the Canadian people, in which the injuries and injustice inflicted by the British governor of Quebec were painted in false and highly coloured language.

On the 17th of April, De Levi, having completed his preparations, left Montreal with all his available force, and collecting on his way downwards the several detached corps scattered at the different posts, arrived at Cape Rouge with eight battalions of regular troops, four thousand five hundred strong, six thousand Canadians, of whom two hundred were cavalry and over two hundred Indians. De Vaudreuil had sent belts to several of the native tribes to induce them to join the French army, but the wary savages held aloof from its failing fortunes, and either allied themselves with the British or remained neutral. De Levi's heavy artillery, ammunition, and stores were conveyed down the river in boats and other vessels.

On the morning of the 27th, before day, a French artilleryman was rescued from the river off a floating cake of ice, who gave Murray the first intelligence of the approach of a hostile force. He stated the French flotilla had been seriously injured by a storm, as well as by the difficulty of navigation, owing to the river not being free from ice, which still drifted in large quantities. The boat in which he was had been swamped in the storm, and he had great difficulty in saving himself by scrambling from one piece of ice to another. He rated the French army at nearly twelve thousand men, which was speedily to be supported by all the frigates and vessels of war they could collect. The aid of a fleet from France was also looked for, as well as the immediate arrival of a frigate, laden with stores, which had wintered at Gaspe.

Murray marched out during the day, with all the troops that could be spared from garrison duty, to cover the retreat of his advanced posts at Cape Rouge and elsewhere, a duty he performed with the loss of only two men, and retired on the approach of evening, after breaking down all the bridges. De Levi, however, pushed rapidly forward down the St Foy road, and at nine o'clock on the morning of the 28th was within three miles of Quebec. The British general, with an army reduced by disease, desertion, and death, to less than three thousand five hundred available men, had already formed the unaccountable resolution of giving the enemy battle. In his sub-

sequent report to the Secretary of State, he excused this unfortunate determination. "Having well weighed my peculiar position," said he, "and well knowing that in shutting myself within the walls of the city I should risk the whole stake on the chance of defending a wretched fortification, which could not be lessened by an action in the field."

Shortly after daybreak Murray formed his skeleton battalions on the Plains of Abraham, supported by twenty pieces of artillery, planted at the most favourable points. Having completed his order of battle, he rode to the front to reconnoitre the enemy's position. The previous night had been wet, so he found the French occupied in putting their arms into order, and in other respects unprepared, as he supposed, for action. Thinking this a favourable opportunity to assail them, he gave orders for an immediate attack, which was gladly obeyed by his little army, who pushed forward in admirable order over the brow of the heights and into the plains beyond.

De Levi at first could scarcely believe that the British seriously intended to attack his overwhelming force, and they had almost advanced within gun-shot range before he called his troops to arms. His line of battle, after a momentary confusion, was speedily formed, and some companies of grenadiers thrown into the woods on the right to cover his flank in that direction. These almost immediately encountered the skirmishers and light troops on the British left, who speedily drove them in on the main body; and following too far in pursuit got in front of their own artillery, and compelled its silence for a time. The advance of the British light troops was soon checked, however, by the steady front of the French supports, whose fire quickly compelled them to retire.

De Levi's army was by this time formed in battle array, and the action speedily became general. For an hour and three quarters did the battle rage with the utmost fury; but finally the numbers of the French prevailed. The British left was thrown into disorder and gave way; the right was also hardly pressed, and Murray was finally compelled to retreat, leaving nearly the whole of his guns in the hands of the enemy, and three hundred dead upon the field. The greater part of the wounded, amounting in all to seven hundred, he succeeded, however, in carrying with him.

Nearly a third of the British army were either killed or wounded; but still the French had dearly purchased their victory by a loss, according to their own admission, of fully eighteen hundred put hors

*de combat.* So exasperated were they at the obstinacy of the contest by so small a force, that they stained their triumph by refusing quarter to several English officers,\* and by giving up the British wounded, left on the field, to the fury of the Indians. Out of nearly one hundred of these unfortunate men, unavoidably abandoned by Murray in his retreat, only twenty-eight were sent to hospital; the rest were massacred by the savages.†

But, if the British general had committed an error in hazarding a battle with his inferior force, he amply atoned for it by the resolute manner in which he prepared to defend the city. On the very evening of the battle he issued a general order to his troops, in which he sought to raise their spirits by stating, "that although the morning had been unfortunate to the British arms, yet affairs were not desperate; that a fleet might soon be expected; and it only remained for officers and men patiently to bear the unavoidable fatigues of a siege." The garrison was now reduced to two thousand two hundred effective men, but these were animated by the best spirit, and even the wounded men, who could not walk without crutches, seating themselves on the ramparts, made sand-bags for the works, and cartridges for the cannon. The soldiers' wives, of whom there were nearly five hundred, and all of whom with scarcely an exception had enjoyed excellent health during the winter, were also active in attending the wounded and cooking for the troops.

De Levi broke ground on the evening of the 28th, eight hundred yards from the ramparts, but several days elapsed before his batteries, consisting of thirteen guns and two mortars, opened upon the town. Murray had in the meantime placed one hundred and thirty-two guns in position on the walls, and as many of the infantry had been trained to act as artillerymen during the preceding winter, he was enabled to keep up a fire which completely overpowered that of the French. But the hopes of the besieged rested chiefly for deliverance on the arrival of the fleet. The French army looked also for aid from an expected squadron.‡ On the 9th of May a frigate was seen rounding the headland of Point Levi, and standing towards the city. For a brief space an intense anxiety had complete possession of besiegers and besieged. But presently a flag is run up to the mizen peak of the strange ship, the Union Jack floats boldly out, and a boat puts off for the Lower Town, when the garrison, officers and men, mounted

\* Smith's Hist. Can., vol. i. p. 337.

† Conquest of Can., vol. ii. p. 232.

‡ This, consisting of one frigate, two store-ships, and nineteen smaller vessels, was captured in Chaleur Bay by a British squadron from Louisburg.

the ramparts in the face of the enemy, and made the welkin ring with hearty British cheers. On the 15th two other frigates arrived under the command of Commodore Swainton. Next day, the French shipping above the town, consisting of two frigates and several armed vessels, were attacked and forced on shore or destroyed.

The following night the siege was raised, and De Levi precipitately retreated, leaving his provisions, guns, tents, ammunition, and intrenching tools behind. Murray had made preparations for a vigorous sally on the morning of the 17th, and when informed of the retreat of the besiegers, pushed rapidly out in pursuit with his grenadiers and light infantry, but was only able to capture some stragglers from their rear-guard. De Levi retreated to Jacques Cartier, and afterwards proceeded to Montreal, where the last stand was to be made against the efforts of the British.

The siege of Quebec, brief as it had been, furnished many opportunities to the officers of the different French departments to make money. They felt their time was short; and, resolving to make the most use of it, indulged in shameful peculations and public robberies. The people gradually became more and more dissatisfied, and several began to look forward to English rule as a benefit instead of injury. Murray increased this feeling by issuing a judicious proclamation on the 22d May. He stated briefly that the peaceable inhabitants would be fully protected, as well as those who at once laid down their arms, and remained neutral. France, her fleets defeated and her treasury exhausted, could give them no assistance. The bills of exchange of the preceding year drawn upon the Government by the Canadian officials were still undischarged, and the total depreciation of the colonial paper-money,\* in consequence, must entail a train

\* In the early settlement of Canada, there had been but little specie in it, and whatever sums of money that had been imported, were remitted to France, to purchase goods and other articles wanted by the inhabitants. The Court of France, with the view of increasing the quantity of money, issued, in the year 1670, a particular coin for all the French settlements in America, and directed that its value should be one-fourth more than it passed current at in France. This expedient had not the effect expected, which led the Government to substitute *la papier aux metaux*, which answered every purpose, both in paying the troops and the other expenses of Government, until the year 1720, when the Government of France, not having made provision for the redemption of the stock, they sunk into discredit, and became of little or no value. This circumstance again introduced the use of gold and silver, but the merchants, finding remittances in cash both hazardous and difficult, presented a memorial to the King of France, requesting the introduction of paper-money: card-money was then introduced. On each card was stamped the arms of the King of France, and each was signed by the Governor, Intendant, and Comptroller. These bills were of different denominations,

of misfortunes they could alone escape by adhering to a nation like Britain, abounding in riches and great prosperity. It concluded by informing the inhabitants, that "if they withdrew themselves from the army of M. De Levi, and gave it no assistance, further injury should not be done their homes or growing crops, and that thus the evils of another famine would be averted."

This proclamation, which was widely circulated, had a most excellent effect upon the habitants. Several copies were even sent to Montreal, which so enraged the French general that he threatened to hang any person found with one in his possession. But his anger availed him little. The ardour of the peasantry visibly abated, and it was evident from the progress of events that the reign of French official oppression and extortion in Canada was rapidly drawing towards its close.

By the 22d of July Amherst had assembled an army ten thousand strong, and seven hundred Indians, at Oswego. On the 10th of August he embarked *en route* for Montreal, and arrived at Ogdensburg on the 19th. The French fort at this place was invested next day. On the 23d the British batteries opened their fire, which was vigorously replied to by the garrison, who, however, surrendered at discretion on the 25th. Amherst learned that the Iroquois intended to massacre the French

from one thousand livres to fifteen sous, and were preferred by the inhabitants to specie, and answered every purpose for which they were intended. In the month of October of every year, the holder was at liberty to bring these cards to the Intendant's Office, and had a right to demand bills of exchange on old France in payment. This right gave the paper-currency even a preference over ready cash, for the Government would not take cash for bills of exchange. Although the inhabitants might have brought all their cards to the year 1759 for payment, yet, being as current as cash, considerable quantities remained in circulation; as a proof of which it may be mentioned, that there were extant some of the cards of the year 1729 in the year 1759. It was at this period that the Intendant, and others concerned in the government of Canada, issued considerable quantities of bills of exchange, which they pretended were for the use of the Government, but as the French Court charged them with maladministration, this point continued in dispute until judgment was passed in France on Bigot, and other peculators, in the year 1763. Bigot was banished from France for life, the others for a shorter period. They were, moreover, condemned to make restitution of several sums in proportion to the frauds of which they had been found guilty. As the Canadians had always had great confidence in Bigot, who they supposed had been vested with full powers from the Court of France, they continued to take bills as usual, and in general paid the full value for them. Upwards of four millions and a half sterling of this paper remained at the conquest, unpaid. These bills, immediately after that event, became of little or no value; but by an arrangement with the French Government, at the peace, Great Britain obtained for her new subjects three millions in contracts, and six hundred thousand livres in money.—Smith's Hist. Can., vol. i. p. 344-346.

soldiers as soon as they gained admission within the works. This he sternly forbade, and declared if they attempted such an outrage that he would restrain them by force. They now sullenly threatened to return home, to which course Amherst gave his consent ; but at the same time stated, that if they committed any acts of violence on their way, he would assuredly chastise them.

Passing down the St Lawrence, the British army, after losing eighty-four men and several boats in the Cedar Rapids, landed on the Island of Montreal, about nine miles from the town, on the 6th of September. Meantime Murray had left Québec on the 14th of June, with a force of two thousand four hundred men of all ranks, and ascended the river, subduing some small posts on its banks, and compelling its inhabitants, whenever practicable, to submit to the authority of Great Britain. At Sorel he found De Bourlemaque posted with four thousand men, and judged it prudent to await the arrival of an expected reinforcement from Louisburg. This coming up he pursued his way. On the 7th September his troops were disembarked, and posted to the north-east of the town. On the following day, Colonel Haviland, who had penetrated into Canada by Lake Champlain and the Richelieu, also arrived at Montreal with a force of over three thousand men ; and thus an army of nearly sixteen thousand men were assembled under the walls of what might be deemed a defenceless town. On the same day the Marquis De Vaudreuil signed the capitulation,\* which severed Canada from France for ever. This

\* *Extracts from Articles of Capitulation.*—27. The free exercise of the Catholic, Apostolic, and Roman Religion, shall subsist entire, in such manner that all the states and the people of the towns and countries, places and distant posts, shall continue to assemble in the churches, and to frequent the sacraments as heretofore, without being molested in any manner, directly or indirectly. These people shall be obliged, by the English Government, to pay their Priests the tithes, and all the taxes they were used to pay under the Government of his Most Gracious Majesty.—“Granted, as to the free exercise of their religion ; the obligation of paying the tithes to the Priests will depend on the King’s pleasure.”

28. The Chapter, Priests, Curates, and Missionaries shall continue, with an entire liberty, their exercise and functions of cures, in the parishes of the towns and country.—“Granted.”

29. The Grand Vicars, named by the Chapter to administer to the diocese during the vacancy of the episcopal see, shall have the liberty to dwell in the towns and country parishes, as they shall think proper ; they shall at all times be free to visit the different parishes of the diocese with the ordinary ceremonies, and exercise all the jurisdiction they exercised under the French dominion. They shall enjoy the same rights in case of the death of the future Bishop, of which mention will be made in the following article.—“Granted, except what regards the following article.”

30. If by the treaty of peace, Canada should remain a British Colony, the French

capitulation included the vast country extending from the fishing stations in the Gulf of St Lawrence to Michigan and Illinois. The regular troops, amounting to four thousand, were to be permitted to march out from their several posts with all the honours of war, and afterwards conveyed to France. The militia, numbering over sixteen thousand, were allowed to return unmolested to their homes. To the inhabitants the free exercise of their religion was guaranteed, as well as undisturbed possession of their properties and slaves, and the same commercial privileges which other British colonists enjoyed.

On the 13th, Major Rogers was detached, with two hundred rangers and a few artillerymen, to take possession of the French posts on the lakes. At Kingston an Indian hunting party brought him wild fowl and venison. From thence he ascended to Niagara. The lateness of the season terminated his journey at Detroit, which was promptly surrendered by the French commandant. At the head of Lake Erie, Rogers encountered the great Ottawa chief, Pontiac, who had united the surrounding tribes in a confederacy, held supreme sway over them, and subsequently caused much trouble to the British.

Shortly after the capitulation of Montreal, General Amherst estab-

King shall continue to name the Bishop of the Colony, who shall always be of the Roman Communion, and under whose authority the people shall exercise the Roman Religion.—“Refused.”

31. The Bishop shall, in case of need, establish new parishes, and provide for the rebuilding of his cathedral and his episcopal palace; and, in the meantime, he shall have the liberty to dwell in the towns or parishes, as he shall judge proper. He shall be at liberty to visit his diocese with the ordinary ceremonies, and exercise all the jurisdiction which his predecessor exercised under the French dominion, save that an oath of fidelity, or a promise to do nothing contrary to his Britannic Majesty's service, may be required of him.—“This article is comprised under the foregoing.”

32. The communities of nuns shall be preserved in their constitutions and privileges; they shall continue to observe their rules; they shall be exempted from lodging any military; and it shall be forbid to molest them in their religious exercises, or to enter their monasteries; safeguards shall even be given them, if they desire them.—“Granted.”

46. The inhabitants and merchants shall enjoy all the privileges of trade, under the same favours and conditions granted to the subjects of his Britannic Majesty, as well in the countries above, as the interior of the Colony.—“Granted.”

47. The Negroes and Panis of both sexes shall remain in their quality of slaves, in the possession of the French and Canadians to whom they belong; they shall be at liberty to keep them in their service in the Colony or to sell them; and they may also continue to bring them up in the Roman Religion.—“Granted, except those who have been made prisoners.”

lished a military government for the preservation of public tranquillity, and the administration of justice. He divided the Colony into three districts: the first was that of Quebec, over which Murray was placed; the second, Three Rivers, at the head of which was Colonel Burton; the third, Montreal, was intrusted to Brigadier Gage. Within these districts were established several courts of justice, composed of Canadian militia officers, who decided cases brought before them in a summary manner, with right of appeal, however, to the Commandant. The British ministry approved of this procedure, and decided that the military authority should remain in force until the restoration of peace, when, in the event of Canada being relinquished by France, a proper form of government would be established.\*

At length this country, after years of warfare and bloodshed, was about to enjoy the blessings of peace. Freed from the terrors of Indian massacre on one hand, and the fears of British invasion on the other, the inhabitants once more cultivated their fields in quiet, and enjoyed their increase without fear of the extortions and oppressions of a Bigot, a Cadet, or the host of inferior officials who had so recently enriched themselves at their expense. Many of the upper classes, it is true, disgusted at the prospect of British rule, returned to France. A proud nobility, however, was little suited to Canada, and the departure of persons whose idle habits, imperious manners, and poverty of resources made them of little value to the community, was a cause of no regret, but rather of congratulation.† The bulk of the people had soon reason to bless the events which placed them under the dominion of Great Britain. "To the impenetrably mysterious transactions of a cruel inquisition," said the French author, Abbe Raynal, "succeeded a cool, rational, and public trial: and a tribunal dreadful, and accustomed to shed blood, was replaced by humane judges, more disposed to acknowledge innocence than to suppose criminality. The conquered people have been still more delighted, by finding the liberty of their persons secured for ever by the famous law of Habeas Corpus. As they had too long been victims of the arbitrary wills of those who governed them, they have blessed the beneficent hand that drew them from a state of slavery, to put them under the protection of just laws."‡

\* Smith's Hist. Can., vol. i. p. 375.

† Raynal, vol. ii. p. 132.

‡ *Ibid.*, vol. ii. p. 133. In 1752 a soldier was subjected to the punishment of the rack at Three Rivers, in order to make him confess his accomplices in an attempt to burn the town. The punishment of the rack was frequently applied to criminals,



Great Britain had begun the memorable war in which she was now engaged, to establish her own interpretation of the boundary of Nova Scotia, and her claims to the valley of the Ohio. She had succeeded to her heart's content; had won Canada and Guadaloupe in addition, and now desired peace. "The desire of my heart," said George II. to Parliament, shortly before his death, "is to see a stop put to the effusion of blood." Pitt was also desirous to terminate a contest which had already given him all he sought for: and the public began to discuss which of their conquests should be retained, and which surrendered. The majority of the British nation were in favour of keeping Canada, yet many reflecting men doubted the wisdom of this course. William Burke, the relative and friend of the great Irishman of that name, in a pamphlet at this time, found arguments for retaining Guadaloupe, in the facilities it presented for profitable investment, the richness of its soil, the number of its slaves, and the absence of all competition with England. "If the people of our colonies," he added, to alarm the public mind, "found no check from Canada, they will increase infinitely from all causes. What the consequence will be to have a hardy, numerous, and independent people, possessed of a strong country, communicating little or not at all with England, I leave to your own reflections. A neighbour that keeps us in some awe, is not always the worst of neighbours. There should be a balance of power in America."

Even from Guadaloupe itself came a warning voice. "A country of such vast resources," it said, "and so distant as North America, could never remain long subject to Britain. The acquisition of Canada would strengthen America to revolt. The islands from their weakness can never revolt; but if we acquire all Canada we shall soon find North America itself too powerful and too populous to be governed by us at a distance." "If Canada were annexed," objected British traders, "the Americans will be at leisure to manu-

and in one instance a female for having hidden the birth of an illegitimate child was tortured by it. The rack was actually in use a very short period before the conquest.—*Christie's Canada*, vol. i. p. 11.

During the time that Canada was a Colony of France, a person suspected with, or without, foundation, was seized, thrown into prison, and interrogated without knowing the charge against him, and without being confronted with his accuser; and was deprived of the assistance of relations, friends, or counsel. He was sworn to tell the truth, or rather to accuse himself, and was never confronted with the person who had accused him, except at the moment before judgment was pronounced, or when the torture was applied, or at his execution; and judgment in capital cases was invariably followed by confiscation of property.—*Smith's Hist. Can.*, vol. ii. p. 70.

facture for themselves, and throw off their dependence on the mother country."

Such were the momentous questions which agitated the minds of the reflecting portion of the British public on the approach of peace. Franklin, then in England, strongly advocated the retention of Canada, on the grounds that it would promote a perpetual peace in North America, that the facilities for profitable agricultural labour would prevent the colonists from engaging in manufactures, and that the separate interests of the different governments would always hinder a union against the mother country. Pitt leaned to the same opinions. He delighted, with a truly liberal and generous mind, to foster British liberty in America, and made it his glory to extend the boundaries throughout which it was to be enjoyed. He desired to retain both Guadaloupe and Canada; but, when overruled in the cabinet, held fast to this country. And thus, unwittingly, did this great statesman lay the foundation for the speedy independence of the United States.

On the 25th of October 1760, George II. died suddenly of apoplexy, after a long reign of over thirty-three years, and his grandson, then but twenty-two years of age, ascended the British throne. Although so young, George III. was determined to rule as a king. He was unfriendly to Pitt, whose influence dimmed even monarchy, and the latter was soon made to feel that he had forced himself into the highest place in the ministry over the heads of an envious and unwilling aristocracy, and that his influence with the crown was on the wane. The minister was unwilling to desert the King of Prussia in his extremity.

1761. But George III., caring little about Hanover and the German policy of his predecessor, displayed small consideration for Frederick, and desired to negotiate separately with France. Other circumstances also conspired to weaken the influence of the premier; and on the 5th of October, William Pitt, the greatest minister of the age; the profound orator—the rival of Demosthenes; the man who without title or fortune had rescued Great Britain from an abyss of weakness and disgrace; who had conquered Guadaloupe, Canada, and the Great West; who had preserved Prussia from annihilation, and sustained continental Protestantism; who had humbled France, gained the supreme dominion of the seas, won an empire, greater than that of the Mogul in Hindostan, and had vanquished faction at home; this man stood in the presence of his young and inexperienced sovereign to resign his power. A few weeks before, France and Spain had concluded

a convention, by which Spain bound itself to declare war against England unless peace should be established, contrary to all expectation, before the 1st of May 1762. Pitt, warned of this treaty, would fain have crushed the whole race of the Bourbons, but a majority of the Privy Council had decided against his purpose, and thus compelled his resignation. Pious, and sincerely desirous to stop the effusion of blood, George III. felt that the minister alone stood in the way of the peace he desired, and received the seals without requesting that Pitt should resume his office. Yet the King was not ungrateful, and desired to bestow some mark of favour on the retiring minister. He was offered the government of Canada, with a salary of £5000 per annum, but this was declined. His wife was made a peeress, with a grant of £3000 to be paid annually during the lives of herself, her husband, and her eldest son. So Pitt retired from office, having confirmed France and Spain in implacable hostility to Great Britain, and destroyed the balance of the European colonial system, by the naval preponderance he had given to his country, and the conquest of Canada and Guadeloupe.

But Pitt was the minister of the nation, and the public were indignant at his retirement from the Government. This event was attributed to the secret influence of the Earl of Bute, who was grossly insulted on Lord Mayor's Day in London. At the same time the King and Queen were received with coldness and silence, when proceeding to dine in the city, while Pitt was welcomed with the loudest acclamations. Yet a still greater triumph awaited him. The force of circumstances soon compelled his successors to adopt his policy, and war was declared against Spain.

All Europe was now arrayed against Great Britain, with the exception of Prussia and Portugal. The latter country was invaded by the armies of the Spaniards. With the aid of English auxiliaries these were defeated in two decisive engagements, and driven back. But it was in her colonies and commerce 1762. that Spain suffered most severely. Havannah, with plunder to the amount of three millions sterling, was taken by the Earl of Albemarle and Admiral Pococke: Draper and Cornwallis captured the city of Manila: and while the cannon of the Horse Guards announced the birth of a Prince of Wales, waggon's conveyed two millions of treasure to the Tower, a prize to the captors of two Spanish vessels. While the arms of Britain thus triumphed in various parts of the world, the King of Prussia, after a series of brilliant exploits, was brought to the brink of utter ruin by the junction of the Russians with his in-

veterate enemies. Fortunately the death of the Empress Elizabeth released him from this new danger, and Frederick soon retrieved his disasters.

The world had now enough of war, and the various Governments of Europe were anxious for peace. France, deprived of her colonies, found her commerce on the brink of ruin. Spain had sustained the most severe reverses, and the Austrians and Prussians were wearied of costly campaigns which produced no territorial additions. The terms proposed to France were severe, but she yielded to necessity. "What else can we do," said the French minister, Choisel; "the English are drunk with success, and we are not in a condition to abase their pride." Accordingly, on the 3d of November, the preliminaries of peace were signed by France and Spain, on one hand, and by Great Britain and Portugal, on the other.

By this peace Britain, besides islands in the West Indies, gained the Floridas, Louisiana to the Mississippi, all Canada, Cape Breton, and the other islands in the Gulf of St Lawrence, and Senegal; while in Asia the victories of Clive and Coote by land, and of Watson and Pococke by sea, had given her the ascendancy in the East Indies, and suddenly opened to her the promise of untold treasures and endless territorial acquisitions.

"Never," said George III., "did England, nor I believe any other power in Europe, sign such a peace before." Yet Pitt opposed the treaty, on the ground that it did not give his country the advantages it was entitled to by conquest. The nation at large sustained him in

1763. this position; yet in Parliament he was out-voted by a considerable majority. On the 10th day of February 1763, the treaty was finally ratified; and peace was also restored, at the same time, between Austria and Prussia. The map of Europe remained exactly as before the war; but in Asia, and on this continent, everything was changed. In America the Anglo-Saxon element was immeasurably in the ascendant.

## CHAPTER X.

### THE GOVERNMENT OF GENERAL MURRAY.

FOR the long period of one hundred and fifty-seven years—from the first settlement of New France by Champlain, to its surrender to Great Britain by the Marquis De Vaudreuil at Montreal—have we traced the fortunes of the French in this country as faithfully as possible. We are now about to enter on the annals of a new era, in which Canada is presented under a totally different aspect: that of a British Colony. Instead of painting the vicissitudes of a military settlement, governed by arbitrary law-givers, a sanguinary penal code, and oppressed by a proud and poor nobility,\* we have now to record the progress of a peaceful community, in the enjoyment of an immeasurably larger liberty.

From 1760 to 1763 Canada scarcely presents a single event of note to record. The peasantry had gladly laid aside the musket and sword to devote themselves to agricultural employments, and were soon in the enjoyment of abundance of food. These people had been taught to look for every outrage at the hands of the British, and were most agreeably surprised at the humane manner in which they were treated. Their gratitude was also awakened by the generous way in which large sums of money had been subscribed by British officers and merchants, to alleviate their sufferings during the famine. A disastrous war, the departure of French troops, and the return of many persons to France, had reduced the population of Canada to seventy thousand souls, and immediately after the conquest it was supposed a large portion of even these would quit the

\* They are extremely vain, and have an utter contempt for the trading part of the Colony. They were usually provided for in the Colony troops, consisting of thirty companies. They are in general poor, except such as have command of distant posts, when they usually made a fortune in three or four years. . . . They were great tyrants to their vassals, who seldom met with redress, let their grievances be ever so just.—*Governor Murray's Report on the State of Canada, Quebec, 5th June 1762.*

country. But the daily instances of lenity they now experienced, the cheap and impartial justice administered to them by the military tribunals, and the indulgence shown to their religion, soon reconciled them to their new condition, and their only dread was lest they might be torn from their country like the Acadians.\*

No sooner had peace been established, than the attention of the British ministry was turned to the formation of governments in the countries conquered during the war, and which had been ceded at its termination. In the month of October 1763, a proclamation was published under the Great Seal for erecting four new civil governments in America; those of Quebec, East Florida, West Florida, and Granada. In this proclamation, the King exhorted his subjects to avail themselves of the advantages which must accrue from his recent acquisitions to commerce, manufactures, and navigation. It was also stated, that as soon as the circumstances of these colonies would permit, general assemblies of the people would be convened in the same manner as in the American provinces; in the meantime the laws of England were to be in force. Thus, all the laws, customs, and judicial forms of a populous and ancient colony were in one hour overturned, and English laws, even the penal statutes against Roman Catholics, introduced in their stead. It was a most rash and unwise measure, and history furnishes no instance of greater injustice to a conquered people, nor less true wisdom on the part of conquerors. The disorders it introduced produced a reaction, which has perpetuated the French civil law in Lower Canada to the present day; whereas had changes been at first gradually and wisely introduced, as the altered condition of the people permitted, the laws of England ere now would have been the rule of decision in that province. Shortly after the publication of this proclamation General Murray was appointed to the Governorship of Canada, or the Province of Quebec, as it was now styled, and proceeded, agreeably to his instructions, to nominate a council of eight members to aid him in the administration of government.

While the writings of Voltaire and Rousseau penetrated every corner of France, and planted the germs of revolution throughout Europe,—while newspapers and books were scattered broadcast over Great Britain and America, Canada still remained without a printing-press. This medium of intelligence had been jealously excluded by the French governors as unsuited to their despotic sway; but scarcely had the country been finally ceded to Britain, than William Brown and Thomas Gilmore, of Philadelphia, determined

\* Murray's Report.

to publish a journal at Quebec. There was then no typefounder in America ; so Gilmore went to England to purchase the necessary material ; and on the 21st of June, the first number of the *Quebec Gazette* made its appearance ; and Canada had its 1764 newspaper, a new and potent element of civilisation. The *Quebec Gazette* is still in existence, although it began with only one hundred and fifty subscribers ; and it is to be hoped will long continue to enlighten the community.

On the 17th of September a proclamation, based on the presumed introduction of English laws into the Colony, was issued by the Governor in council, establishing a Court of King's Bench for the trial of all criminal and civil causes agreeable to the laws of England and the ordinances of the province. A Court of Common Pleas was also instituted, in which the French laws were to be alone allowed in all cases of action arising before its construction. The introduction of the English civil law occasioned much dissatisfaction among the public, and accordingly, in the month of November, the Governor in council enacted "that in actions relative to the tenure of land and the rights of inheritance, the French laws and usages should be observed as the rule of decision." A Court of Chancery was erected soon after, at the head of which presided the Governor as chancellor, with two masters, two examiners, and one register.

The English-speaking inhabitants of the Colony were few in number, and the sudden introduction of the English language, as well as English laws, into the courts of justice, was found to be productive of the greatest disorder. Trial by jury was of little value to a people who did not understand a word of the pleadings unless through an interpreter, and it was soon evident that some change must be made in this respect. All public offices, moreover, were conferred on British born subjects, of which there were scarcely four hundred in the country, exclusive of the military. Many of these came out expressly from England, and as they neither knew the language nor customs of the people they were sent to control, much disgust and dissatisfaction were the result. Nor were officials always selected with the sole view to the public good. The ignorant, the covetous, and the bigoted were appointed to offices which required knowledge, integrity, and abilities. Several of the principal situations were given away by patent to men of interest in England, who let them out to the highest bidders. No salaries were attached to these patent places, the value of which accordingly depended upon the fees, which the Governor was directed to establish on the same scale as in the richest colony. Much extortion and oppression were the

necessary consequences of this order of things, and which Governor Murray found it most difficult to prevent. His endeavours to protect the people made him many enemies among the English of the Colony, who were too apt to exhibit a contempt of the old inhabitants, not even excepting the seigniors. The Governor, however, continued to alleviate their condition to the best of his power, and won their sincere gratitude.\*

Complaints were soon sent to England relative to the establishment of the courts, the harsh conduct of law-officers, and the enormous fees exacted. These were laid, by the Board of Trade, before the English Attorney and Solicitor Generals, who made an elaborate report thereon. They gave it as their opinion, that the introduction of the English language into the courts of Canada was inadvisable, and that it was unwise and arbitrary at once to abolish all the French usages and customs, especially those relating to the titles of land, the law of descent, of alienation and settlement. They likewise supported the view that Canadian advocates, attorneys, and proctors should be permitted to practice in the courts.†

During the summer several Canadians who had gone to France returned. Bishop De Pont Briant had died in 1760, and a new bishop also came out. On his arrival his friends received him with all the ceremony and respect which they had ever paid to bishops. These courtesies, however, he refused on the ground of altered circumstances. In pursuance of this humble determination he wore only a common black gown like the other priests for some time. But the liberal manner in which he found himself treated by the authorities, soon assured him he might adopt a higher tone with safety, and he accordingly assumed all the insignia of episcopal dignity.‡

In the following year, General Murray proceeded to England, leaving Brigadier Carleton to act in his absence. A more lucrative post prevented him from returning, and the Brigadier was accordingly appointed Governor of Canada on the 12th of April. His humanity had made him popular with the public, who already regarded him as a protector, and looked forward to his administration with confidence. Nor were they disappointed. Sir Guy Carleton ever proved himself their friend.

\* In a letter to Shelburne, 30th August 1766, General Murray, alluding to the English officials, declared them to be the most immoral collection of men he ever knew.

† Yorke and De Grey to the Lords of Trade, 14th April 1766.

‡ Smith's Hist. Can., vol. ii. pp. 38, 39.



THE GOVERNMENT OF SIR GUY CARLETON.

Montreal, the population of which had now increased to seven thousand souls, suffered severely this year by a most destructive fire, which broke out on the evening of the 18th April, and consumed nearly one hundred houses. The greatest sympathy was displayed towards the sufferers. In England a considerable sum was raised for their relief, but many were, nevertheless, reduced to poverty. Its citizens suffered also from the arbitrary conduct and petty extortions of the English justices of the peace, whose irregularities, however, were speedily restrained by the action of the Governor. Hitherto, these justices had been allowed a jurisdiction in civil cases to the amount of five pounds currency. This was now taken away, and they were only permitted to decide in criminal matters.\* Beyond these events there is not a fact of moment to record at this period. Although America was already heaving in the throes of revolution, the people of Canada remained peaceable, and tolerably contented; while trade was reviving, and the population on the increase.

Governor Carleton having obtained the royal permission to proceed to England on leave of absence, Mr Cramahe, as the oldest member of the Executive Council, assumed direction of the 1770. government. The Governor had always been desirous that the French civil laws, or "*Coutume de Paris*," should be introduced again into the Colony, and already had them compiled by several Canadian advocates of acknowledged ability. This compilation he took with him on his departure for England, and where, soon after his arrival, it was revised by the principal law officers of the Crown, and became the chief authority at once in the Canadian courts,† as regarded questions affecting land and inheritance. In cases of personal contract, and debts of a commercial character, the English laws remained the practical authorities. This arrangement was cheerfully acquiesced in by the people generally: and although there was no fixed standard of decision, and judgment was dealt out sometimes agreeable to French legal authorities, and at other times according to English law, still, as it was evident that justice was always intended, the public were tolerably satisfied with matters as they stood, until more permanent and better defined arrangements could be effected. The criminal law of England, including trial by jury and the Habeas

\* Debates on the Quebec Bill, p. 128. In one case the costs on suing for 11s. amounted to £4.

† Smith's Hist. Can., vol. ii. p. 60.

Corpus, had been fully introduced into Canada,\* and appeared to give general satisfaction among the bulk of the people, with the exception that Canadian jurors grumbled a good deal about not being paid for their loss of time.† The old French gentry, however, did not like by any means that labourers and mechanics should sit in judgment upon gentlemen, and wondered that the British people should be so fond of trial by jury.‡

The long peace had enabled the Canadian people to recover fully from the effects of war. Trade had now become  
 1773. more prosperous than ever. Emigrants returned from France; numbers of the Acadians, scattered through the neighbouring colonies, gladly proceeded to this country; and in the space intervening between 1760 and 1773 it was estimated that the population had increased a fourth. In May 1774, General Carleton, in his evidence under oath before a committee of the House of Commons, estimated the population of Canada at one hundred thousand Roman Catholics and four hundred Protestants. The latter were chiefly merchants, officers, and disbanded soldiers, who resided principally at Quebec and Montreal: in one hundred and ten rural parishes there were only nineteen Protestants.§ With the exception of the change in the laws, that there was less speculation on the part of public officials, and that the country was more prosperous, matters remained much in the same state as they were before the conquest. A Governor and Council, although with limited powers, still ruled the Colony, the common people were as uneducated and as simple as ever,|| and the clergy received

\* At the present day the old French Code is the basis of civil law in Lower Canada, but the British system of criminal law has been fully in force there since 1770.

† Under recent Canadian statutes jurors are now paid.

‡ General Carleton to the House of Commons, May 1774. The seigniors actually petitioned the British Parliament on this head in 1773, and against the general introduction of English law. See Debates on the Quebec Bill.

§ The royal proclamation of the 7th October 1763, which provided for the government of Canada, granted to the officers and soldiers engaged in the war in this country, lands in the following proportions—viz., To a field-officer, five thousand acres; captain, three thousand; subaltern, two thousand; sergeants and other non-commissioned officers, two hundred; and privates, fifty acres. Very few, however, claimed these grants, and soldiers preferred to keep public-houses, than engage in agriculture. Strangers to Canadian customs and the language of the people, British settlers disliked the colony, and did very poorly. Many left it altogether in disgust.

|| Volney, a distinguished French traveller, who visited Canada towards the close of the last century, does not draw a very flattering picture of the habitants'

their parochial dues and tithes as punctually as during French dominion. Still, the peasantry began to feel a stray glimmering of independence, and to resist such exactions of the seigniors as they considered were legally unjust.

As the country gradually became more and more prosperous, and thinking people had leisure to look round them and reflect, a good deal of anxiety began to prevail as to the future government of the Colony, and whether the French or English laws would be permanently established. As might naturally be expected, the British settlers were unanimous in favour of English law, and a government based on popular representation. The inhabitants of French origin, on the other hand, generally desired the establishment of their old civil law, but were divided with regard to a House of Assembly. Some supposed that a representative constitution would give the settlers of English origin, who were much better acquainted with this mode of government than themselves, a great preponderance in public affairs. Others leaned to a governor and council, as the mode of government they best understood ; while a few of the better informed desired to be ruled by their own representatives, like the other British colonies. Mr Lotbiniere, described by one of the principal law officers\* of Canada as a very sensible and reflecting man, and a large Canadian landed proprietor, gave it as his opinion before a committee of the House of Commons on the Quebec Bill, in June 1774, that if Roman Catholics were allowed to sit in a House of Assembly there would be no objections made to its establishment. He also stated, that if a Legislative Council were established, and composed in part of the Canadian noblesse, it would have the best effects.†

Such was the unsettled condition of this country, when, in the month of October 1773, meetings were held at Quebec to petition

intelligence. After stating their easy and indolent habits, he observes : “ Having several times questioned the frontier Canadians respecting the distances of times and places, I have found that in general they had no clear and precise ideas : that they received sensations without reflecting on them ; in short, that they knew not how to make any calculations that were ever so little complicated. They would say to me, from this way to that is one or two pipes of tobacco ; you can or you cannot reach it between sunrise or sunset, or the like.” Education in Canada before the conquest was entirely restricted to the upper classes and clerical orders. Common schools were unknown, and few of the peasantry could either read or write.

\* Mr Maseres, Attorney-General, author of “ The Canadian Freeholder,” and who was strongly opposed to the continuation of the French civil law in Canada.

† Debates on the Quebec Bill, pp. 160, 161.

the Deputy-Governor, General Carleton being still absent from the province, to summon a House of Assembly in agreement with the royal proclamation of 1763. The principal Canadians were invited to attend these meetings and take part in the proceedings, but on their declining to do so, the British inhabitants determined to proceed alone in the matter, and after some delays presented their petition to the Deputy-Governor, on the 3d of December. He replied to it a week after by stating "that the matter was of too great importance for the Council of the Province to decide upon, and the more so, as the government appeared likely soon to be regulated by Act of Parliament." A fresh draft of the petition was soon

after presented to the Secretary for the Colonies, the Earl  
 1774. of Dartmouth, but beyond hints that the Province was not yet ripe for a General Assembly, no answer was returned.

In Great Britain the reflecting portion of the community were gradually becoming more aware of the fact, that unless Parliament receded from its assumed right to tax the American colonies, their independence was very near. The hostile position assumed by their Houses of Assembly was ill-calculated to make the British legislature regard popular colonial representation very favourably, and it was now determined to give Canada a different form of government. On the 2d of May a bill, usually known as the Quebec Act, was brought into the House of Lords by the Earl of Dartmouth, which passed without opposition, and was sent down to the Commons for their concurrence.\* This bill repealed all the provisions of the royal proclamation of 1763, annulled all the acts of the Governor and Council relative to the civil government and administration of justice, revoked the commissions of judges and other existing officers, and established new boundaries for the province, which was now declared to embrace all ancient Canada, Labrador, and the countries west to the Ohio and Mississippi. The Quebec Act released the Roman Catholic religion in Canada from all penal restrictions, renewed their dues and tithes to its regular clergy, but as regarded members of their own church only, (Protestants being freed from their payment,) and confirmed all classes, with the exception of the religious orders and communities,† in the full possession of their

\* The King, on opening Parliament, recommended the question of a government for Canada to its consideration. There can be little doubt that this bill owed its origin principally to himself.

† With the exception of the Jesuits, whose order was suppressed by the Pope, none of the religious orders or communities of Canada have ever been disturbed in the possession of their property. Their right to this property was clearly left an open question by the Quebec Act.

properties. The French laws were declared to be the rules for decision relative to property and civil rights, while the English criminal law was established in perpetuity. Both the civil and criminal codes, however, were liable to be altered or modified by the ordinances of the Governor and a Legislative Council. This Council was to be appointed by the Crown, and to consist of not more than twenty-three, nor less than seventeen members. Its power was limited to levying local or municipal taxes, and to making arrangements for the administration of the internal affairs of the province; the British Parliament jealously reserving to itself the right of external taxation, or levying duties on articles imported or exported. Every ordinance passed by this Council was to be transmitted within six months, at furthest, after enactment, for the approbation of the King, and if disallowed, to be null and void on his pleasure becoming known in Quebec.

Such were the principal provisions of the Quebec Act, under which Canada was governed for a period of seventeen years. Taking into consideration the want of education among the great bulk of the Canadian people, as well as their ignorance of popular institutions, and of the English laws and language, there can be no doubt that this bill gave them the mode of government best suited to their condition, and was a real boon so far as they were concerned. But to the inhabitants of British origin, who had settled in Canada or the valley of the Ohio,\* and were subjected thereby to French laws, and deprived of the right of a jury in civil causes, of the Habeas Corpus, and of a constitutional government, the measure was oppressive in the extreme, and at variance with all their ideas and experience of popular liberty. The law was based on the supposition that the French would remain the dominant race in Canada, as well as on a desire to restrain the progress westward of the Anglo-American population. The American revolution, and the rapid increase of a British-Canadian population, ultimately placed it in error in both respects, and compelled its repeal. It met with strenuous opposition in the House of Commons, chiefly on the grounds of its being opposed to the British constitution, and granting too extensive territorial limits to Canada. "You have given up to Canada," said Thomas Townshend, "almost all the country which was the subject of dispute, and for which we went to war; extending, in the words of the bill, southward to the Ohio, westward to the Mississippi, and northward to the territory granted to the Hudson's Bay Company."

\* It was estimated that over twenty thousand people had already settled in the valley of the Ohio. They were chiefly from Pennsylvania and Virginia.

The bill, however, passed in the Commons by a majority of thirty-six, and was returned, on the 18th of June, to the House of Lords, whither Pitt, now Earl of Chatham, went to oppose it, although very ill at the time. "It will involve this country," said he, "in a thousand difficulties, and is subversive of that liberty which ought to be the groundwork of every constitution." And he prophesied "that it would shake the affections and confidence of his Majesty's subjects in England and Ireland, and lose him the hearts of all the Americans." But the bill passed, nevertheless,—only six siding with Pitt, while twenty-six Peers voted against him.

The city of London, always in front of the battle for constitutional liberty, became speedily alarmed ; and, on the 22d of June, the Lord Mayor, Aldermen, and Common Council petitioned the King not to give his sanction to the bill. He gave them an evasive answer, and immediately after proceeded to the House of Lords, and signified his assent thereto ; observing "that it was founded on the clearest principles of justice and humanity, and would, he doubted not, have the best effect in quieting the minds and promoting the happiness of his Canadian subjects."

As soon as the Act reached Quebec, the English settlers met in the greatest alarm, and promptly petitioned the King, as well as both Houses of Parliament, for its repeal or amendment. They complained that it deprived them of the franchise they had inherited from their ancestors, that they had lost the protection of English laws, the Habeas Corpus, and the trial by jury in civil causes, which was disgraceful to them as Britons, and ruinous to their properties.

In the American colonies the passing of this Act awoke a storm of indignation. All they had struggled for beyond the Alleghanies, almost, was taken from them at one swoop. Their Congress, on the 24th of October, endeavoured by a forcible address to awaken the people of Canada to a just sense of what it deemed their true interests. They were now invited to elect delegates to represent their province in the "Continental Congress," to be held in Philadelphia on May 10th of the following year.\* But this document produced no effect among the simple Canadians. Not one in a thousand ever saw it, and even if they had, cared little for the privileges of English freemen, and looked upon their own laws and customs as by far the most desirable. These had now been secured to them, and they were fully satisfied.

\* This Congress enumerated the Quebec Act among its grievances. Its provisions in favour of Roman Catholics gave great offence to the Protestant clergy of the American colonies, and led the majority of them to support the Revolution.

Sir Guy Carleton returned from England in the latter end of the year, when a meeting of the new Council, into which several Roman Catholic gentlemen had been admitted, was held, and such measures taken under the Quebec Act as were deemed immediately necessary for the public welfare. The Governor's return was gladly hailed by the people, with whom his humane conduct and liberal sentiments had rendered him deservedly popular. On all possible occasions he had shown himself their friend, and had interfered in many instances to protect them from the extortions and oppressions of the English civil officers:

Meantime, the final struggle of America for independence was rapidly approaching, owing to the arbitrary and vacillating conduct of the British Parliament, and the firm determination of the colonies to resist taxation without representation. Lord Chatham's bill for composing all difficulties and disputes, was rejected; and, as neither Parliament would recede as a body from its assumption of the right to tax the colonies, on the one hand, nor the latter, on the other, give up the determination to preserve the privileges secured to them by their charters, and their position as British freemen intact, both parties now looked forward to a fearful contest. For a brief space a calm, with presage of a terrible storm, settled darkly over North America, and the crisis approached with the first days of early spring. On the 19th of April the Americans began the struggle for constitutional liberty by the battle of Lex- 1775.  
ington; and, blood once shed, it was evident that the sword alone could now decide the unnatural quarrel between the mother-country and her offspring.

While the New England militia besieged General Gage, the British commander, in Boston, a small force was promptly raised in Connecticut and elsewhere for the capture of Ticonderoga. Led by Benedict Arnold and Ethan Allan, it crossed Lake Champlain on the night of the 9th of May, and succeeded next morning in capturing the fort, in which were only a few men, by surprise, without firing a shot. Crown Point had only a garrison of a sergeant and twelve men, and was immediately afterwards taken possession of. And thus the Americans, at the first outset of the contest, acquired two strongly fortified positions, and a large amount of military stores. The speedy capture, also, of the only British sloop of war on Lake Champlain, gave them complete command of its waters.

On receiving intelligence of these offensive operations, General Carleton at once resolved to possess himself, if possible, of Ticonderoga and Crown Point, and regain the command of the lake. Con-

sidering that the French feudal law still prevailed in Canada, and that the seigniors, accordingly, as well as their tenants, owed military service to the King, and would forfeit their lands by not rendering it, he resolved to enroll the militia on these grounds. Many of the seigniors took the same view as the Governor of this matter, and showed great alacrity in assembling their tenants to explain to them the situation of the province, the services expected from them, and the absolute necessity of preparing for hostilities. But the peasantry, who had not yet forgotten the hardships they had suffered during the last war, and whose long absence from military training had sunk them into inglorious and contented ease, stoutly resisted the claims of their seigniors. They stated the latter had no right to command their military services; and, that when they had paid them their quit-rent, and the other seigniorial dues, no further claim on them could be established.

This determination of the habitants placed the Governor in an awkward position. For the defence of the Colony and its numerous frontier posts, he had only the 7th and 26th regiments, containing together scarcely eight hundred effective men; and he felt that unless aided by the Canadians he could only make a very ineffectual resistance in case of attack. He accordingly endeavoured to call out the militia of the province by proclamation, and declared martial law to be in force, at the same time, in his government; but even these measures proved ineffectual. As a last resort the Governor applied to Bishop De Briand for his aid and influence. The Bishop promptly responded by a mandate to his clergy, to be read in their churches, exhorting the people to take up arms in defence of their country. Even this appeal failed. The British authorities had as yet acquired no influence with the masses, who knew little of the quarrel in progress, and wished to give themselves the least possible trouble about it; and while they had no leaning whatever towards the Americans, they preferred to remain neutral as long as they could. In short, they felt like a conquered people; if their homes were threatened with danger they would defend them, but they cared little to take up arms in defence of their rulers.

The American Congress, however, believed the Canadian people to be favourable to their cause, and resolved to anticipate the British by striking a decided blow in the north. They accordingly despatched a force of nearly two thousand men, under Schuyler and Montgomery, to penetrate into Canada by the Richelieu. After taking the forts along that river, they were next to possess themselves of Montreal; then descend to Quebec, and form a junction there with Colonel



Arnold, who was to proceed up the Kennebec with eleven hundred men and surprise the capital of Canada if possible.

On the 5th of September the American army arrived at the Isle-aux-Noix, whence Schuyler and Montgomery scattered a proclamation among the Canadians, stating that they only came against the British, and had no design whatever on the lives, the properties, or the religion of the inhabitants. General Schuyler being unwell now returned to Albany, and the chief command devolved on Montgomery, who having received a reinforcement invested Fort St John on the 17th, and sent some troops to attack the fort at Chambly, while Ethan Allan was despatched with a reconnoitring party towards Montreal. Allan proceeded to the St Lawrence, and being informed that the town was weakly defended, and believing the inhabitants were favourable to the Americans, he resolved to capture it by surprise, although his force was under two hundred men. General Carleton had already arrived at Montreal to make dispositions for the protection of the frontier. Learning, on the night of the 24th, that a party of Americans had crossed the river, and were marching on the town, he promptly drew together two hundred and fifty of the local militia, chiefly English and Irish, and with thirty men of the 26th regiment, in addition, prepared for its defence. Allan, however, instead of at once proceeding to attack Montreal, took possession of some houses and barns in the neighbourhood, where he was surrounded next day, and compelled to surrender after a loss of five killed and ten wounded. The British lost their commanding officer, Major Carsden, Alexander Paterson, a merchant of Montreal, and two privates. Allan and his men were sent prisoners to England, where they were confined in Pendennis Castle.

While these occurrences were transpiring at Montreal, Montgomery was vigorously pressing forward the siege of Fort St John, which post was gallantly defended by Major Preston of the 26th regiment. His conduct was not imitated by Major Stopford, of the 7th, who commanded at Chambly, and who surrendered in a cowardly manner on two hundred Americans appearing before the works with two six-pounders. This was a fortunate event for Montgomery, whose powder was nearly exhausted, and who now procured a most seasonable supply from the captured fort. His fire was again renewed, but was bravely replied to by the garrison, who hoped that General Carleton would advance and raise the siege. This the latter was earnestly desirous to do, and drew together all the militia he could collect, and the few troops at his disposal, for

that purpose, and pushed across the river towards Longueuil on one of the last days of October. General Montgomery had foreseen this movement, and detached a force with two field-pieces to prevent it. This force took post near the river and allowed the British to approach within pistol-shot of the shore, when they opened such a warm fire of musketry and cannon that General Carleton was compelled to order a retreat on Montreal. Montgomery duly apprised Major Preston of these occurrences, and the garrison being now short of provisions and ammunition, and without any hope of succour, surrendered on the 31st October and marched out with all the honours of war.

With Fort St John and Chambly a large portion of the regular troops in Canada was captured, and the Governor was in no condition to resist the American army, the main body of which now advanced upon Montreal, while a strong detachment proceeded to Sorel to cut off the retreat of the British towards Quebec. General Carleton with Brigadier Prescott and one hundred and twenty soldiers quitted Montreal, after destroying all the public stores possible, just as the American army was entering it. At Sorel, however, their flight was effectually intercepted by an armed vessel and some floating batteries, and Prescott, finding it impossible to force a passage, was compelled to surrender. The night before General Carleton had fortunately eluded the vigilance of the Americans, and passed down the river in a boat with muffled oars. Montgomery treated the people of Montreal with great consideration, and gained their good-will by the affability of his manners, and the nobleness and generosity of his disposition.

While the main body of the American invading force had been completely successful thus far, Arnold sailed up the Kennebec and proceeded through the vast forests lying between it and the St Lawrence in the hope of surprising Quebec. The sufferings of his troops from hunger and fatigue were of the most severe description. So great were their necessities that they were obliged to eat dogs' flesh, and even the leather of their cartouch boxes; still, they pressed on with unflagging zeal and wonderful endurance, and arrived at Point Levi on the 9th of November. But their approach was already known at Quebec. Arnold had enclosed a letter for Schuyler to a friend in that city, and imprudently intrusted its delivery to an Indian, who carried it to the Lieutenant-Governor. The latter immediately began to make defensive preparations, and when the Americans arrived on the opposite side of the river, they found all the shipping and boats removed, and a surprise out of the question.

On the 12th, Colonel M'Lean, who had retreated from Sorel, arrived at Quebec with a body of Fraser's Highlanders, who had settled in the country,\* were now re-embodied, and amounted to one hundred and fifty men. In addition to these, there were four hundred and eighty Canadian militia, five hundred British militia, and some regular troops and seamen for the defence of the town.† The *Hunter* sloop of war gave the garrison the command of the river, yet despite the vigilance exercised by her commander, Arnold crossed over during the night of the 13th, landed at Wolfe's Cove, and next morning appeared on the Plains of Abraham, where his men gave three cheers, which were promptly responded to by the besieged, who in addition complimented them with a few discharges of grape-shot, which compelled them to retire. Finding he could effect nothing against the city, Arnold retired up the river to Point-aux-Trembles to await the arrival of Montgomery.

On the 19th, to the great joy of the garrison, General Carleton arrived from Montreal, bringing down with him two armed schooners which had been lying at Three Rivers. One of his first measures was to strengthen the hands of the loyalists, by ordering those liable to serve in the militia, and who refused to be enrolled, to quit the city within four days. By this means several disaffected persons were got rid of, and the garrison speedily raised to eighteen hundred men, who had plenty of provisions for eight months.

On the 1st of December Montgomery joined Arnold at Point-aux-Trembles, when their united forces, amounting to about two thousand men, proceeded to attack Quebec, in the neighbourhood of which they arrived on the 4th, and soon after quartered their men in the houses of the suburbs. Montgomery now sent a flag to summon the besieged to surrender, but this was fired upon by order of General Carleton, who refused to hold any intercourse with the American officers. Highly indignant at this treatment, the besiegers proceeded to construct their batteries, although the weather was intensely cold. But their artillery was too light to make any impression on the fortifications, the fire from which cut their fascines to pieces and dismounted their guns; so Montgomery determined to carry the works by escalade. He accordingly assembled his men on the 30th of December, and made them an imprudent speech, in which he avowed his resolution of attacking the city by storm. A deserter

\* They settled at Murray Bay, about sixty miles below Quebec, on the north shore of the St Lawrence. Their descendants speak the French language only as a rule, and are all Roman Catholics, still preserving, however, their Scotch names.

† Journal of an Officer of the garrison.

carried intelligence of his intention that very day to General Carleton, who made the necessary preparations for defence. On the night of the 31st the garrison pickets were on the alert. Nothing, however, of importance occurred till next morning, when Captain Fraser, the field-officer on duty, on going his rounds, perceived some suspicious signals at St John's Gate, and immediately turned out the guard, when a brisk fire was opened by a body of the enemy, concealed by a snow-bank. This was a mere feint to draw off attention from the true points of attack, at the southern and northern extremities of the Lower Town. It had, however, the effect of putting the garrison more completely on their guard, and thus was fatal to the plans of the assailants.

Montgomery led a column of five hundred men towards the southern side of the town, and halted to reconnoitre at a short distance from the first battery, near the Pres de Ville, defended chiefly by Canadian militia, with nine seamen to work the guns, the whole under the command of Captain Barnsfair. The guard were on the alert, and the sailors with lighted matches waited the order to fire, while the strictest silence was preserved. Presently the officer, who had made the reconnaissance, returned and reported everything still. The Americans now rushed forward to the attack when Barnsfair gave the command to fire, and the head of the assailing column went instantly down under the unexpected and fatal discharge of guns and musketry. The survivors made a rapid retreat, leaving thirteen of their dead behind to be shrouded in the falling snow, among whom was the gallant Montgomery. Of a good family in the north of Ireland, he had served under Wolfe with credit, married an American lady, Miss Livingston, after the peace, and had joined the cause of the United States with great enthusiasm.

At the other end of the Lower Town, Arnold at the head of six hundred men had assaulted the first barrier with great impetuosity, and met with little resistance. He was wounded in the first onset and borne to the rear. But his place was ably supplied by Captain Morgan, who forced the guard, and drove them back to a second barrier two hundred yards nearer the centre of the town. Owing to the prompt arrangements, however, of General Carleton, who soon arrived on the ground, the Americans were speedily surrounded, driven out of a strong building with the bayonet, and compelled to surrender to the number of four hundred and twenty-six, including twenty-eight officers.\* In this action the garrison had ten men killed

\* Journal of an Officer.

and thirteen wounded; the American loss in killed and wounded was about one hundred.

The besieging force was now reduced to a few hundred men, and who were at a loss whether to retreat towards home or continue the siege. As they were in expectation of soon receiving aid they at length determined to remain in the neighbourhood, and elected Arnold as their general, who contented himself with 1776. a simple blockade of the besieged, at a considerable distance from the works. Carleton would have now gladly proceeded to attack him, but several of the Canadians outside the city were disaffected, as well as many persons within the defences, and he considered, with his motley force, his wisest course was to run no risk, and wait patiently for the succour which the opening of navigation must bring him.

During the month of February a small reinforcement from Massachusetts, and some troops from Montreal, raised Arnold's force to over one thousand men, and he now resumed the siege, but could make no impression on the works. His men had already caught the small-pox, and the country people becoming more and more unwilling to supply him with provisions, his difficulties increased rather than diminished. When the Americans first came into the country the habitants were disposed to sell them what they required at a fair price, and a few hundred of them even joined their army. But they soon provoked the hostility of the bulk of the people by a want of respect for their clergy, by compelling them to furnish articles below the current prices, and by giving them illegal certificates of payment, which were rejected by the American Quartermaster-general. In this way the Canadians began gradually to take a deeper interest in the struggle in progress, and to regard the British as their true friends and protectors, while they came to look upon the Americans as a band of armed plunderers, who made promises they had no intention of performing, and refused to pay their just debts.\*

All the Canadians now required was a proper leader, and a system of military organisation, to cause them to act vigorously against Arnold. Even in the absence of these requisites they determined to raise the siege, and led by a gentleman of the name of Beaujeau a force advanced towards Quebec, on the 25th of March, but was defeated by the Americans and compelled to retreat. This check, however, did not discourage the Canadians, who next resolved to surprise a detachment of the enemy at Point Levi. By some means their design became known, and they were very quickly repulsed.

\* Frost's United States, p. 205. Journal of an Officer.

The month of April passed over without producing any events of importance. The Americans had meanwhile been reinforced to over two thousand men, and Major-General Thomas arrived to take the command. The small-pox still continued to rage amongst them ; they could make no impression on the fortifications, and the hostile attitude of the Canadians disheartened them in addition. On the 5th of May Thomas called a council-of-war at which an immediate retreat was determined on.

On the following morning, to the great joy of the besieged, the *Surprise* frigate and a sloop arrived in the harbour with one hundred and seventy men of the 29th regiment and some marines, who were speedily landed. General Carleton at once resolved on offensive operations, and marched out at noon with one thousand men and a few field-pieces to attack the Americans. But the latter did not await his approach, and fled with the utmost precipitation, leaving all their cannon, stores, ammunition, and even their sick behind. These were treated with the utmost attention by General Carleton, whose humanity won the esteem of all his prisoners, and who were loud in his praise on returning home. For his services during the siege the Governor was subsequently knighted by his sovereign.

The Americans retreated as rapidly as possible for a distance of forty-five miles up the river, but finding they were not pursued they halted for a few days to rest themselves. They eventually proceeded in a very distressed condition to Sorel, where they were joined by some reinforcements, and where, also, General Thomas died of the small-pox, which still continued to afflict them. He was succeeded in the chief command by General Sullivan.

Meantime, some companies of the 8th regiment, which had been scattered through the frontier posts on the lakes, descended to Ogdensburg. From thence Captain Forster was detached, on the 11th of May, with one hundred and twenty-six soldiers and an equal number of Indians, to capture a stockade at the Cedars, garrisoned by three hundred and ninety Americans under the command of Colonel Bedell. The latter surrendered on the 19th, after sustaining only a few hours' fire of musketry, and the following day one hundred men advancing to his assistance were attacked by the Indians and a few Canadians. A smart action ensued which lasted for ten minutes, when the Americans laid down their arms, and were marched prisoners to the fort, where they were with difficulty saved from being massacred by the savages.

After providing for the safety of his numerous prisoners, Forster

pushed down the river towards Lachine, but learning that Arnold was advancing to attack him with a force treble his own number he halted and prepared for action. Placing his men in an advantageous position on the edge of the river, and spreading the Indians out on his flanks, he made such a stout defence that the Americans were compelled to retire to St Anne's. Forster, encumbered with his prisoners, now proposed a cartel which Arnold at once assented to, and an exchange was effected, on the 27th of May, for two majors, nine captains, twenty subalterns, and four hundred and forty-three privates. This cartel was broken by Congress, on the ground that the prisoners had been cruelly used, which was not the case. They had been treated with all the humanity possible, when the difficulty of guarding so large a number with less than three hundred men, is taken into consideration.\*

While these events were in progress above Montreal, a large body of troops arrived from England under the command of Major-General Burgoyne, and Brigadier Fraser was at once sent on by the Governor with the first division to Three Rivers. While the troops still remained on board their transports off this place, General Thompson advanced with eighteen hundred men to surprise the town, and would have effected his object had not one of his Canadian guides escaped and warned the British of his approach. Fraser immediately landed his troops, as well as several field-pieces, and posted them so advantageously that the Americans were speedily defeated, and their general and five hundred men made prisoners, while the retreat of their main body being cut off, it was compelled to take shelter in a wood full of swamps. Here the enemy remained in great distress till the following day, when General Carleton, who had meanwhile come up, humanely drew the guard from the bridge over the River du Loup and allowed them to escape towards Sorel. Finding themselves unable to oppose the force advancing against them, the main body of the Americans retreated to Crown Point, whither Arnold also retired from Montreal on the 15th of June. Thus terminated the invasion of Canada, which produced no advantage to the American cause, but on the contrary aroused the hostility of the inhabitants and drew them closer to Great Britain.

The military operations in the United States during the Revolutionary War, do not properly come within the scope of a history of Canada. We have, therefore, only to add that Sir Guy Carleton followed up his successes by launching a fleet on Lake Champlain

\* Smith's Hist. Can., vol. ii. pp. 139, 140. Frost's United States, p. 207.

in October, which after several actions with the American naval armament obtained complete command of its waters. He likewise obtained possession of Crown Point, evacuated by the Americans, who concentrated all their strength for the defence of Ticonderoga. At the close of the campaign the troops were quartered along the Richelieu and St Lawrence on the Canadians, who now willingly received them as protectors from invasion.

General Burgoyne visited England soon after the troops had gone into winter quarters, and concerted with the ministry a plan of operations against the Americans by way of Lake  
1777. Champlain. He returned the following spring to assume the chief command of the army, much to the dissatisfaction of Sir Guy Carleton, who at once demanded his own recall, on the ground that he had been treated with injustice. Burgoyne opened the campaign at the north by the capture of Ticonderoga; and after an advance at first distinguished by victory but afterwards by defeat, he was compelled to surrender his entire army, amounting to six thousand men, at Saratoga on the 17th of October.

The first regular sitting of the Legislative Council, constituted by the Quebec Act, was held in the spring of 1777. At this session sixteen acts were passed, which received the sanction of the Governor and the approval of the Home Ministry. One of these acts erected a Court of King's Bench, a Court of Common Pleas, and a Court of Probates for testamentary and succession causes. The whole Council were constituted a Court of Appeal, and any five of their number, with the Governor or Chief Justice, were declared competent to try all causes brought before them. Owing to the ignorance, however, of the judges of these courts with regard to French law much confusion was caused, and matters did not proceed as smoothly as they should. Towards the latter part of the summer, Major-General Haldimand arrived to take charge of the Government.



## CHAPTER XI.

### THE GOVERNMENT OF MAJOR-GENERAL HALDIMAND.

**T**HAT the British ministry gave all their attention to the war with the American colonies, is the only apparent reason which presents itself for the appointment of General Haldimand to the government of Canada. A military man by profession, a Swiss foreigner by birth, he knew little of the laws or customs of either the British or the Canadians, and was wholly unfitted to control the Colony. His administration was distinguished by undue severity, and many persons were imprisoned on improper 1779. pretences, some of whom afterwards instituted actions against him in England for this violation of their liberty, and recovered damages, which were paid by the British Government.

But few important events occurred during the government of General Haldimand. The records of this period are of the most meagre description, and chiefly distinguished by the 1780. many petitions to the Crown and its ministers from the British colonists, praying for an alteration in the laws so as to make them more in unison with the English constitution. The treaty of peace, the preliminaries of which were arranged on the 30th 1782. November, which acknowledged the independence of the United States, strengthened the hands of the advocates of reform, and made them more earnest in their demands for a House of Assembly, and the other privileges they deemed necessary to their welfare.

But the close of the Revolutionary War was destined to have a still more important influence on the condition of this country, by adding largely to the Anglo-Saxon portion of the population, a circumstance which soon produced of itself the desired reforms. During the progress of the contest several families had removed to Canada; and soon after the surrender of Burgoyne there was a con-

siderable emigration of loyalists from the State of New York. On the close of the war a still larger number followed, and to 1783. make proper provision for these devoted servants of the Crown became a question of serious moment with the British ministry.

Western Canada at this period was a mere wilderness, the greater part being wholly uninhabited. A few military posts along the St Lawrence, and the French settlements in the neighbourhood of Detroit, embraced the entire European population, which scarcely amounted to two thousand souls. The military post at Frontenac, or Kingston, as it will in future be termed, had been abandoned immediately before the conquest; Toronto had also been long deserted. There was still a small military post at Niagara, but with the exception of an occasional trapper, or a few wandering Indians, human being rarely trod the vast and fertile districts stretching along the northern shore of Lake Ontario and the upper St Lawrence.

The Home Government fancied it would not be at all politic to bring the two dominant races in Canada closely together, being desirous to preserve the French element as a safeguard to future revolutionary tendencies. It now conceived the idea of establishing a new colony farther westward, and at the same time of rewarding the American loyalists, who might desire to join it, by liberal gifts of land. With regard to those who had served in the army, the scale of grants was the same as after the peace of 1763, with the exception that all loyalists, under the rank of subaltern, now received two hundred acres.\* In pursuance of this determination Governor Haldimand was instructed to grant patents for land, on applicants taking the usual oath of allegiance, and subscribing a declaration acknowledging the three estates of Great Britain as the supreme legislature of the province. He was instructed, however, to state, that this declaration had no reference to internal taxation, and that Parliament only reserved to itself the right of legislating for the regulation of trade and commerce. "By this they could not be affected, or deprived of any indulgence or encouragement to which they were entitled."† The grants to royalists and disbanded soldiers were directed to be made free of every expense.‡

In the following year the Governor appointed commissioners to

\* In 1798, owing to complaints of the profuse manner of granting lands, the allowance was limited to a quantity from two hundred to twelve hundred acres.

† Lord North to Governor Haldimand, 24th July 1783.

‡ Gourlay, vol. i. p. 11.

take a census of the population of Lower Canada. The districts of Montreal, Three Rivers, and Quebec, were found to contain one hundred and thirteen thousand and twelve inhabitants; twenty-eight thousand of whom were fit to bear arms, and had been enrolled in the militia.\* As this census, however, only embraced the more populous districts, it may reasonably be presumed that the entire population of Canada, at this period, amounted to one hundred and twenty thousand souls. At the same time, surveys continued to be made of the lands lying along the banks of the St Lawrence, from the highest French settlement at Lake St Francis upwards, and round the Bay of Quinte, which were speedily divided into townships, and subdivided into concessions and lots. These townships were numbered, but not named till several years afterwards. The original settlers long continued the habit, even after distinct names had been given them, of describing them by first township, second township; and so on.

The survey having been completed, the American royalists and disbanded officers and soldiers of the 84th regiment, with a few other German and English soldiers, took possession of their allotments in the course of the summer. During the same season, also, a settlement was formed on the Niagara River, and another at Amherstburg by the royalists, who likewise had lands assigned them. This was the first effective settlement of Upper Canada, and before the close of the year its population amounted to about ten thousand souls.

The greater part of these settlers were poor and dependent. Some had served in the army, and from the small pay of a British soldier, amounting then to only sixpence sterling per diem, nothing had been saved; others again had lost their properties by the war; so for the first two years Government was obliged to assist nearly all with provisions, farming utensils, and clothing.† Although cast thus

\* Smith's Hist. Can., vol. ii. p. 168.

† “‘To put a mark of honour,’ as it is expressed in the Orders of Council, ‘upon the families who had adhered to the unity of the empire, and joined the royal standard in America, before the treaty of separation in the year 1783,’ a list of such persons was directed, in 1789, to be made out and returned, ‘to the end that their posterity might be discriminated from the then future settlers.’ From the initials of two emphatic words, the *unity* of the *empire*, it was styled the U. E. list; and they whose names were entered on it were distinguished as U. E. loyalists, a distinction of some consequence; for in addition to the provision of such loyalists themselves, it was declared that their children, as well those born thereafter as those already born, should upon arriving at the age of twenty-one years, and females upon their marriage within that age, be entitled to grants of two hundred acres each, free from all expense. In pursuance of that declaration these gratuitous grants continue to be made. Thousands of acres are thus granted

destitute in the wilderness, these courageous people did not despond. The greater part had been bred to agricultural pursuits, and now speedily adapted themselves to circumstances, and resumed their former occupations. The axe of the backwoodsman was swung as vigorously in the forests of Canada, as it had been in those of New England and New York. Clearings were speedily made, log-houses erected; in a few years the wilderness blossomed as the rose, and waving fields of grain bent to the summer winds along the ancient hunting-grounds of the Wyandots and the Algonquins.

It being now deemed desirable by the Government to draw as many emigrants to the province as possible, lots of two hundred acres each were granted to settlers, on condition of actual occupation, and the payment of expenses of survey and fees of office, amounting together to about thirty-eight dollars. This soon led to an emigration from Great Britain; and when the passions excited by the recent war had somewhat subsided, and royalists went back to their old homes among the New England hills, or the more fertile districts farther south, to visit the relations and friends they had left behind, many of these were induced to settle in Canada.

The British Government having at length turned its attention to Canadian affairs, it was soon perceived that General Haldimand was not the proper person to rule the province. He was accordingly recalled, and Henry Hamilton sent out to act as Lieutenant-Governor, till a Governor should be appointed, the ministry being as yet undecided as to whom they would intrust that office.

#### THE GOVERNMENT OF HENRY HAMILTON, ESQ.

The new Governor, who arrived in this country in the spring, had  
 1785. been an officer in the army, but had retired, like numbers of others, on the establishment of peace. One of his first measures was to assemble the Legislative Council; and, pursuant to his instructions, to recommend to their consideration the introduction of the law of Habeas Corpus into the province. The Canadians were now well acquainted with the objects of this law, and

every year. As the sons and daughters of those whose names are on the U. E. list become of age, they petition the Lieutenant-Governor in council, stating the facts, and verifying them by their own oath, and affidavit of one witness, and upon such petitions obtain orders for land, which they locate in some of the new townships, and then take out their patents without cost.

“To encourage the further population of the province, a lot of two hundred acres was allowed to every settler, upon condition of actual settlement, and payment of the expense of surveying and fees of office, amounting in the whole to a little less than thirty-eight dollars.”—*Gourlay*, vol. i. pp. 14, 15.

evinced great satisfaction when it came up for consideration in the Council ; the Roman Catholic clergy, in particular, expressed their approbation. It was proposed to exclude the religious female communities from its benefits, at which they expressed no small indignation, on the ground that ill-disposed persons might suppose the exception was necessary to retain them in their cloisters. The bill was accordingly extended to embrace them, and speedily passed.

Beyond the establishment of a public library, and a great darkness which fell suddenly on Canada on the 9th of October, the introduction of the Habeas Corpus into the statute law of the Province was the only event of importance which marked the government of Mr Hamilton. He was recalled after a single year's administration, and the direction of Canadian affairs again committed 1786. to General Carleton, who had, in the meantime, been raised to the peerage.

#### THE GOVERNMENT OF LORD DORCHESTER.

In the month of June, Lord Dorchester received his appointment in England as Governor-General of all the British North American Provinces, and arrived on the 23d of October at Quebec, where he was cordially welcomed by the inhabitants. One of his first measures was to assemble the Legislative Council, and forming them into committees, directed them to inquire into the state of the laws, the commerce, the police, and the education of the province. An investigation by the Chief Justice was also made, at the instance of the Council, with regard to the administration of 1787. the laws, when it was clearly shown that English judges followed English law, Canadian judges, French law, and some judges, no particular law whatever, but decided according to what they deemed the equity of the case. Commerce was also represented to 1788. be far from in a flourishing condition, owing to the active rivalry of the United States and other causes ; while education was at the lowest ebb. The Jesuits had discontinued teaching, and there was not a school in the province where the higher 1789. branches of learning were taught.\*

This condition of things, in connexion with the rapid increase of the English-speaking population, strengthened the hands of the reform party, who finally employed an agent, Mr Lymburner, to advocate their views in England. He was ultimately 1790. successful in attracting the attention of ministers, and a bill was pre-

\* Smith's Hist. Can., vol. i. p. 176.

pared by the Colonial Secretary, William Grenville, to give a new constitution to Canada, which, after being sent to Lord <sup>1791.</sup> Dorchester for correction, was laid before Parliament shortly after it assembled in the spring.

Mr Pitt, in introducing the bill, briefly stated its provisions. The Province of Quebec was to be divided into Upper and Lower Canada, in order to prevent any dissensions between the French Canadians and settlers of British origin. Each province was to have its own legislature, composed of a Legislative Council, the members of which were to be chosen for life, and a House of Assembly, to be elected in the usual manner by the people. The Habeas Corpus Act was to be a fundamental principle of the new constitution. Provision was likewise to be made for the maintenance of the Protestant clergy in both provinces, by the allotment of lands, (the Clergy Reserves;) and, while Parliament reserved to itself the right of regulating trade and commerce, the local legislatures were to have the sole power of internal taxation.

Mr Fox warmly opposed the bill on several grounds. He argued that it would be wiser rather to unite still more closely than to separate the British and French settlers; and that the Legislative Council should be also elective, with a higher qualification on the part of elected and electors than was necessary for the Lower House. "By this means," said he, "Canadians will have a real aristocracy, chosen by persons of property, from among persons of the highest property, who would thus have that weight and independence necessary to guard against the innovations of the people, on the one part, or of the Crown, on the other."

The Quebec reformers were also dissatisfied with the bill, and instructed Mr Lymburner to oppose it, chiefly on the grounds that the division of the province would interfere with commerce, and would be really injurious to the inhabitants of Upper Canada. Mr Lymburner was heard at the bar of the House of Commons against the bill, on the 23d of March, and opposed its principles in a long and lucid argument. But his efforts failed to prevent a separation of the province. The bill passed into law,\* and continued to be the constitution of the Canadas until the Union.

\* THE CANADIAN CONSTITUTION OF 1791.—The Constitutional Act repealed so much of the Quebec Act as related to the appointment of a council for the affairs of the province of Quebec, and the powers given to it to make ordinances for the government thereof.

His Majesty's message expressive of his intention to divide the province of Quebec into two separate provinces, as previously noticed, to be called Upper Canada and Lower Canada, being recited, it was enacted that a Legislative Council

One of the first measures rendered necessary by the new order of things, was the division of both provinces into electoral districts, and giving to each a fair proportion of the number of representatives fixed

and Assembly should be established in each province, with power to make laws for the peace, welfare, and good government thereof.

The members of the Legislative Council were to be appointed by the King for life, and in Upper Canada to consist of not fewer than *seven*, and in Lower Canada not fewer than *fifteen* persons. No person, not being of the full age of twenty-one years, and a natural born subject of his Majesty, or naturalised by act of the British Parliament, or a subject of his Majesty by the conquest and cession of Canada, could be appointed to it. His Majesty was authorised to annex to hereditary titles of honour the right of being summoned to the Legislative Council in either province.

The Governor had the right of appointing a Speaker to the Legislative Council. Each province was to be divided into districts or counties, or cities, or towns, or townships, which were to return representatives to the Assemblies, the Governor fixing the limits of such districts and the number of representatives to be returned for each. The whole number of members of the Assembly in Upper Canada was to be not less than sixteen, and in Lower Canada not less than fifty, and to be chosen by a majority of votes. The county members were to be elected by owners of land in freehold or in fief or roture, to the value of forty shillings sterling a year, over and above all rents and charges payable out of or in respect of the same. Members for the town or township were elected by persons having a dwelling-house and a lot of ground therein of the yearly value of five pounds sterling or upwards, or who, having resided in the town for twelve calendar months, next before date of the writ of election, shall *bona fide* have paid one year's rent for the dwelling-house in which he shall have resided, at the rate of ten pounds sterling per annum, or upwards.

No person being a Legislative Councillor, or a clergyman of the Church of England or Rome, or a teacher of any other religious profession, was eligible to the House of Assembly in either province, nor was any person under lawful age, to vote at any election of a member to serve in the Assembly, nor eligible thereto; nor was any person eligible as such who was not a natural born subject, or naturalised as aforesaid, or a subject of his Majesty by the conquest.

Power was given the Governor to fix the times and places of holding the first and every other session of the Legislative Council and Assembly in each province, giving due notice thereof, and to prorogue the same from time to time, and to dissolve it whenever he deemed such expedient. They were to be convoked once at least in every twelve months, and each Assembly was to continue four years from the day of the return of the writs for choosing the members; subject, however, to be sooner prorogued and dissolved, at the pleasure of the Governor.

The Governor was authorised to give or withhold his Majesty's assent to all bills, passed by the two branches, and to reserve such as he might think fit, for the signification of his Majesty's pleasure thereon. Copies of all bills he might assent to, were also to be forwarded to the Secretary of State; and his Majesty might, at any time within two years after receipt by the Secretary, disallow them if he thought fit.

Bills reserved by the Governor for his Majesty's pleasure, were not to have effect till sanctioned, and notice thereof given by message to the two Houses of the Pro-

by the Act. In making this arrangement regard was had solely to the number of the male population in each district, the superficial extent of which was not taken into consideration. A careful census made

vincial Parliament, or by proclamation; nor could the royal assent to bills so reserved be given, unless within two years next after the day when presented to the Governor for the royal assent.

All laws, statutes, and ordinances in force in either province, except as repealed or altered by that Act, were to remain in force, as they might be at the time of its coming into operation.

The Governor and Executive Council, which, by an ordinance of the province of Quebec, had been constituted a court of appeals, were, in each province, to continue so; liable, however, to such other provisions as might be deemed necessary by the new Legislature.

It was enacted that an allotment of Crown lands, in each province, should be made for the support and maintenance of a Protestant clergy within the same, and such allotment was to be, as nearly as circumstances and the nature of the case would permit, equal in value to a seventh part of the lands granted, and to be granted. This provision of the Act became, and indeed still is, a source of much agitation and discord in Canada. Far better for it had it been, if such enactment had never taken place.

His Majesty was authorised to empower the Governors in each province to erect parsonages and endow them, and to present incumbents or ministers of the Church of England, subject and liable to all rights of institution and all other spiritual and ecclesiastical jurisdiction and authority, lawfully granted to the Bishop of Nova Scotia.

Power was given to the Provincial Legislature to vary and repeal the provisions relating to such allotments for the support of a Protestant clergy, parsonages and rectories, and presentation of incumbents or ministers; but it was provided that no bills in this behalf were to be assented to by his Majesty, until thirty days after they had been laid before both Houses of Imperial Parliament, nor was his Majesty to assent to any such bill in case of an address from either of the Houses during that period, requesting him to withhold the royal assent from it. The intent of these privileges was to preserve the rights and interests of the Established Church of England in both provinces from invasion by their respective Legislatures.

All lands to be thereafter granted in Upper Canada, were to be in free and common socage, and so in Lower Canada, when the grantee required it.

The British Parliament reserved to itself the right of providing regulations or prohibitions, imposing, levying, and collecting duties, for the regulation of navigation, or for the regulation of commerce, to be carried on between the said two provinces, or between either of them, and any other part of his Majesty's dominions or any foreign country, or for appointing and directing the payment of duties so imposed; leaving, however, the exclusive appropriation of all moneys so levied, in either province, to the Legislature thereof, and applicable to such public uses therein, as it might think fit to apply them.

The Governor, pursuant to the King's instructions, was to fix upon and declare the day when the Act should commence, which was not to be later than the 31st December 1791; nor was the calling together of the Legislative Council and Assembly, in each province, to be later than the 31st December 1792.

The above are the principal provisions of the Act which conferred a constitution



the preceding year showed that the males in Canada, above sixteen, amounted to thirty-seven thousand four hundred and eleven, while the entire population numbered about one hundred and fifty thousand souls,\* being an increase of some thirty thousand in the preceding six years.

Having obtained leave of absence, Lord Dorchester departed for England on the 17th of August, leaving Major-General Clarke to act as Lieutenant-Governor. The winter passed over without producing any event of note. On the 14th May writs, returnable on the 12th of July, were issued for the election of representa- 1792.  
tives. The elections took place in June, and in several instances were warmly contested. Among the members returned were some of the principal merchants of Montreal and Quebec. On the 17th of December General Clarke opened the first Parliament of Lower Canada with a short and appropriate speech. William Smith, the Chief Justice of the province, was appointed Speaker of the Legislative Council, while J. A. Panet, an eminent Quebec advocate, was chosen to fill the same office in the Lower House.†

Shortly after the session commenced considerable discussion arose as to the language in which the business of the House should be conducted. It was finally decided that the Journals of the Proceedings should be kept in both languages, that motions made in English

upon the new provinces of Upper and Lower Canada, respectively, or as much of them at least as it is necessary to quote. By a proclamation dated at the Castle of St Louis, Quebec, 18th November 1791, of his Excellency the Lieutenant-Governor Alured Clarke, Esq., it was declared that the Act should commence within the said provinces of Upper and Lower Canada, respectively, on the 26th December 1791. The proclamation issued on the occasion stated, that by an order of the King in Council, in August previous, the two provinces were separated by a division line, "commencing at a stone boundary on the north bank of the Lake St Francis, at the cove west of the Point *au Baudet*, in the limit between the township of Lancaster and seigniory of New Longueuil, running along the said limit in the direction of north thirty-four degrees west to the westmost angle of the seigneurie of New Longueuil, thence along the north-west boundary of the seigneurie of Vaudreuil, running north twenty-five degrees east, until it strikes the Ottawa river, to ascend the said river into Lake Tomiscanning, and from the head of the said lake, by a line drawn due north until it strikes the boundary line of Hudson's Bay, including all the territory to the westward and southward of the said line, to the utmost extent of the country commonly called or known by the name of Canada. —*Christie's Hist. Can.*, vol. ii. pp. 118-124.

\* Mr Smith gives a much larger number, but his estimate was evidently based on no correct data. A census was only taken of the adult males at this period, and the proportion of the rest of the population could not be much greater than four to one.

† Christie, vol. i. pp. 126, 127.

should be translated into French, and *vice versa*, before being put, and that each member should have the privilege of using his mother-tongue when addressing the House. As the session progressed the

subject of education was taken up, and an address voted to  
 1793. the King praying for the establishment of a Canadian college, as well as another address of a loyal character, when intelligence was received of the breaking out of war with the French Republic. Beyond this, little business of importance was transacted, and the members being weary of attendance, General Clarke, after giving assent to eight bills, prorogued the House in the beginning of May, when they all gladly returned to their respective avocations.

While constitutional liberty thus gradually developed itself in this country, events were transpiring in the Old World of the deepest importance to civilised humanity. The American colonies had largely contributed to win Canada from France, and thus paved the way for their own independence. To achieve that independence, France, in revenge, gave most important assistance. Her conduct in this matter precipitated the revolutionary crisis, originating in the national poverty and distress, brought Louis XVI. to the scaffold, and drove the iniquitous House of Bourbon forth as fugitives. The French soldiers, whilst fighting in the cause of American liberty, had gradually imbibed the principles of their allies, and returned to their native country to disseminate the arguments of Otis, of Franklin, and of Jefferson, in favour of the inherent rights of man. However much the bulk of the British nation might have sympathised, at the commencement of the French Revolution, with the struggles of a gallant people for a larger measure of liberty, the horrid atrocities of the Jacobins soon produced a most unfavourable impression on their minds. A hostile feeling on both sides was engendered. France declared war against England, and the latter stood forth as the champion of legitimacy and aristocracy, and issued a counter-declaration of hostilities against the new republic. From that period, till Bonaparte became a prisoner at St Helena, Great Britain was destined to be a stranger to the blessings of peace, and to spend countless treasure in forcing a sovereign on a people by whom he was afterwards speedily rejected.

But although this long war militated seriously against the prosperity of Canada, and checked emigration thither from the mother-country, she was happily exempt from its evils otherwise; and in the enjoyment of a greater degree of liberty, was left to develop her resources as she best might. In the present age, when our rivers and lakes are covered with floating palaces, which traverse

their waters at the rate frequently of twenty miles an hour; when railroads annihilate space, and the electric telegraph speaks with the rapidity of the lightning's flash, it is difficult to form an accurate idea of the condition of matters in Canada sixty years ago, or to imagine what a "slow people" our Canadian ancestors were. It took a month for the mail to travel from New York to Quebec; the same period was necessary for the transmission of letters to Halifax; and four months must expire before an answer to a communication could be looked for from England. A mail from Montreal twice a month\* to the New England States, was regarded as quite a progressive event; now the inhabitants of every little hamlet in Canada would grumble if they did not receive their letters and newspapers at least three times a week. Still, with all these disadvantages, the commerce and prosperity of Canada were steadily on the increase, and from ninety to one hundred vessels, from British and foreign ports, annually visited Quebec,† while the net annual revenue of the Lower Province, from lands, customs' duties, and licences, was a little less than £5000 sterling.‡

The prudent legislators of Lower Canada in those days travelled fully as slowly and cautiously through the public business as the mail bags journeyed to Halifax or New York. Lord Dorchester arrived from England on the 24th September, and assumed the reins of government. On the 11th of November he opened the second session of Parliament; it sat till the 23d May in the ensuing year, when it was prorogued after the royal 1794. assent had been given to *five bills*. One more bill had indeed been passed, relative to a change in the judicature, which was reserved for the royal pleasure. Emissaries from France had arrived in Canada to propagate revolutionary principles, so the Assembly, in the fulness of its loyalty, levelled one of its bills against aliens who inculcated treason, and gave the Governor large powers to ferret out and punish such persons.

The next session commenced in the January following, when for the first time the public accounts were laid before the Assembly. From these it appeared that the expenses of 1795. the civil administration of the province amounted to £19,985 sterling annually. To defray this sum the revenue was wholly inadequate; £5000 sterling were all the Assembly could give, the remainder had to be supplied by the mother-country. In the year ending January 1796, the revenue of the province 1796. had largely increased, and amounted to £10,425 currency, while

\* Quebec Gazette, 20th December 1792. † Ibid. ‡ Christie, vol. i. p. 152.

the public expenditure was £24,711, including £1205 paid to Upper Canada, as the proportion of the duties levied on her imports at the ports of Montreal and Quebec.

On the 7th of May the first Parliament of Lower Canada closed its final session. Lord Dorchester declared himself highly satisfied with the course it had pursued. "In expressing my approbation of your proceedings," said he, addressing both Houses, "I must further observe that the unanimity, loyalty, and disinterestedness manifested by this first Provincial Parliament of Lower Canada have never been surpassed in any of his Majesty's colonies."

On the 9th of July Lord Dorchester took his final departure from Quebec, greatly to the regret of the inhabitants, all classes of whom presented him with addresses, couched in the warmest and most respectful language. From the first he had been a true friend to Canada; and its people had been largely indebted to his humanity, sound common sense, and love of constitutional liberty, for the comparatively happy condition in which they now found themselves.

#### THE GOVERNMENT OF MAJOR-GENERAL PRESCOTT.

On the departure of Lord Dorchester, Major-General Prescott assumed charge of the government of Lower Canada only, but was soon after created Governor-General. Writs for the general election had been already issued, and the new Parliament met 1797. on the 24th of January 1797. In his opening speech the Governor alluded to the recent treaty of commerce and navigation between Great Britain and the United States, as highly favourable to the province. "From the flourishing state of commerce," he observed, "amidst the hazards and obstructions of war, well founded hopes may be entertained of the future prosperity of the colony, when the blessings of peace shall be restored." The returns laid before the House showed that the revenue for the preceding year had risen to £18,975, while the civil expenses of the province were £25,380 currency.

During this year the first execution for high treason took place in Canada. David M'Lean, a bankrupt American, formed a chimerical project of possessing himself of Quebec, and tampered with some of the inhabitants. His designs were discovered, and he was accordingly tried and sentenced to be hung as a traitor. With this exception no event of much moment characterised the administration of General Prescott, who, having obtained leave of absence, departed for England, much regretted by the inhabitants, 1799.

with whom he had become deservedly popular. Sir Robert Shore Milnes now assumed charge of the administration as Lieutenant-Governor.

A contented community, blessed with peace and abundance in all its borders, presents but few occurrences of importance for the historian to record. In a community of this kind time 1800. glides smoothly on, like the placid stream whose current is rarely disturbed. Such was the state of things in Lower Canada at this period. All classes of the community were contented. The inhabitants of British origin felt they had all they could reasonably expect in a House of Assembly and a Legislative Council, while the population of French descent, in the full enjoyment of their language, their customs, and their religion, lived on in an easy and good-natured existence which nothing disturbed. Meantime, the province was steadily progressing in population and wealth. Its civil expenditure had increased to about £30,000, but, at the same time, its revenue had risen to nearly £26,000 currency, so that the deficit was small in proportion to what it had been a few years before. The inhabitants showed their loyalty and devotion to Great Britain by contributing liberal sums to carry on the war.

During this year died Father Casot, the last of the Jesuits in Canada, and the large possessions of his order now devolved to Government. For many years the Father had bestowed his revenues in charitable purposes, and he was, therefore, bitterly regretted by the poor. Down to the present time the "Jesuits' estates" produce a separate government fund.

Slavery, although to a very limited extent, had hitherto existed in Canada. It prevailed during the long period of French 1803. dominion, and by Article 46 of the Capitulation of Montreal, in September 1760, it had been stipulated that the Negroes of both sexes should remain in their quality of slaves, and in the possession of their respective owners, with the privilege of selling them when deemed proper. In the census of 1784 the number of slaves in the districts of Montreal, Three Rivers, and Quebec, had been returned as three hundred and four. There is every reason to suppose that this number had decreased in the interval between that period and 1803, when the decision of Chief-Justice Osgoode, at Montreal, declared slavery inconsistent with the laws of the country, and gave freedom to the persons in that condition. From that day to this Canada has remained "free soil," untainted by slavery, and the sure place of refuge to the oppressed man of colour.

From 1803, to the departure of the Lieutenant-Governor, who was personally unpopular, for England in 1805, everything progressed in the province with the greatest harmony. Trade continued to increase, and the revenue of the year ending in January amounted to £33,633; at the same time, the expenditure had risen to about £40,000 currency. One hundred and forty-six vessels, of an aggregate tonnage of 25,136 tons, visited Quebec during the season.

Mr Dunn, being the senior executive councillor, assumed direction of the government on the departure of Sir Robert S. Milnes. His administration was distinguished for the first attempts to curb the liberty of the press in Canada. During the month of March a dinner was given by the merchants of Montreal to the representatives of the town and county, at which Isaac Todd presided. The proceedings were reported in the *Montreal Gazette* of the 1st April, and

1806. the House of Assembly, considering themselves glanced at by some of the toasts, voted at their ensuing session the publication a breach of privilege. They accordingly directed their sergeant-at-arms to proceed to Montreal, and take Mr Todd and the publisher of the *Gazette*, Mr Edwards, into custody. Neither of these gentlemen, however, could be found, and so the matter ended with respect to them. While these events were occurring in the Assembly the *Quebec Mercury*, in an article headed "French influence," criticised its illiberal proceedings in a manner highly distasteful to the members. The publisher, Mr Cary, was summoned to the bar of the House, and compelled to apologise "for having presumed to render an account of its proceedings," when he was released. In the present day, when the action of Parliament is so narrowly watched and criticised by the public press, the course pursued on this occasion must appear sufficiently despotic. But Canada was only imitating the mother country, where the press, at that period, was shackled by the most odious restrictions, and where the proceedings in Parliament dare not be published. Even in the present day reporters for the press are admitted to the Houses of Parliament in England, and also in Canada, by sufferance merely, and not as a matter of right, and may be excluded at any time they deem proper.

In those days the members of the Assembly were not paid for their services, and tenacious as they were of their privileges they could not be kept together for the transaction of business, which was frequently retarded for the want of a quorum. The novelty of legislation had evidently worn off; and, in the absence of excitement of any kind, many of the members preferred staying at home to attend

to their own affairs than engage in the dull routine of public business. When Mr Dunn prorogued the House, on the 19th of April, he expressed his dissatisfaction with this state of things. "The necessary business," said he, "has not been completed, which would not be the case had not so many members declined giving their customary attendance."

Hitherto the newspapers of Canada had been exclusively owned and conducted by persons of British origin, who, as a mere matter of course, were far from being friendly to French laws or customs. However prudent the different editors might be, their articles were undoubtedly biased by their feelings and their prejudices, and the educated portion of the French-Canadian population felt the want of an organ which would represent their own opinions, and repel the aspersions of the other journals. This feeling led to the publication of a newspaper, *Le Canadien*, exclusively in the French language, the first number of which was issued at Quebec in the month of November. Had this journal restricted itself to a moderate and sensible advocacy of French-Canadian interests and opinions, matters would have gone on smoothly. But, instead of pursuing this course, it appealed to national prejudices, and regarded the British emigrants as strangers and intruders. Being conducted with ability it soon became popular, and commenced the reign of agitation and discord between the two races subsequently productive of so much injury to the province.\*

Sir Robert S. Milnes, the Lieutenant-Governor of the province, and the Governor-General continuing absent, Mr Dunn again convened the Legislature on the 21st of January, and 1807. congratulated them on the capture of the Cape of Good Hope, and the other successes which had distinguished the arms of Great Britain in the war with France and her allies. In responding to this address the Assembly expressed their appreciation of Mr Dunn's personal worth, in very handsome and well-merited terms. The session was chiefly distinguished by a motion to obtain an allowance for the expenses of the members residing at a distance from Quebec, which was negatived by a majority of two, sixteen voting against it and fourteen in its favour; and for the election of Mr Ezekiel Hart, a Jew, by the people of Three Rivers. On the 19th of October, Lieutenant-General Sir James H. Craig, who had been appointed to succeed General Prescott as Governor-General of British North America, arrived at Quebec, and immediately assumed charge of the government.

\* Christie, vol. i. p. 252.

## THE GOVERNMENT OF SIR JAMES H. CRAIG.

On the 29th of January, the Governor proceeded in state to open the Legislature, and was loudly cheered by the assembled crowd.\* His speech on the occasion contained little that was remarkable, and was responded to in courteous terms by the House.

A feeling had gradually arisen in the province, and was now very generally diffused, that the judges of the different courts should not be eligible for election to the Assembly. A bill was accordingly introduced to carry out this object, which was, however, negatived by the Legislative Council. The next measure of the Commons was to unseat Mr Hart, the member for Three Rivers, on the grounds of his being a Jew, although there was nothing in the Constitution to warrant such a course. He was again re-elected by that constituency; but only, however, to be unseated the second time. The militia bill was continued till repealed; and the alien act, and the act for the better preservation of his Majesty's government, were passed, for one year. On the whole this session, which terminated the fourth Parliament, pleased the Governor, who signified his approval when proroguing the Legislature on the 14th of April.

The general election took place in May. Panet, the speaker of the last Assembly, was rejected by one of the constituencies of Quebec, in consequence of his connexion with the *Canadien* newspaper, but was returned in another quarter. Matters progressed quietly the remainder of the year, and during which Parliament was not called together. An annual session was then deemed sufficient in both provinces for the transaction of business.

On the 9th of April, in the following spring, the new Assembly was convened. It was generally expected that Mr Panet would again be elected speaker, an office he had filled during the four preceding Parliaments, and considerable curiosity was excited as to whether the Governor, in that case, would assent to the choice of the Assembly. He wisely confirmed Panet's election, although, as had been anticipated, not in very gracious terms.

\* Craig was slow, sedate, and solemn, and a different person altogether from Mr Gore, now Governor of Upper Canada, whose speeches to its Legislature were alike short and slipshod. Gore was a *bon vivant*, and on one occasion while making merry with his friends, the House passed a resolution he did not like, and he vowed, "he would send the rascals about their business." A few hours' sleep did not alter his determination; and next morning he was proceeding alone, and *en deshabelle*, to prorogue the House, with a shoe on one foot and a boot on another. Fortunately he was met by a friend, who persuaded him to return and proceed to the Legislature in a more respectable trim.



In his opening speech to the Legislature, General Craig alluded, among other matters, to the prosperous condition of the province, owing chiefly to the impetus given to the lumber trade by the American embargo on all intercourse with Great Britain. He regretted being obliged to call the House together at that busy period of the year, but excused himself on the ground of public expediency. Some of his remarks implied an indirect censure on the members, and were unfavourably received.

The question of the eligibility of judges for election to the Assembly was again taken up, as well as the expulsion of Mr Hart, who had been elected a third time. A bill was introduced to disqualify Jews from a seat in the House, but five weeks had already elapsed when it underwent a second reading. General Craig's patience became exhausted; and regarding the Legislature as a refractory body who had not a proper sense of their duty, he went down in state from the castle of St Louis, on the 15th of May, and dissolved the Assembly in terms of unmeasured censure. At the same time he complimented the Legislative Council for their general good conduct.

In the ensuing month the Governor made a tour of the principal towns of the province, was well received, and presented with several very complimentary addresses, which were criticised with considerable asperity by the *Canadien*. The elections took place in October, when the recent representatives, or others still more opposed to the wishes of the executive, were returned. The Governor had gained nothing by his arbitrary policy.

While the public mind was still disturbed by the disagreement between the stern old general and the refractory Assembly, John Molson, an enterprising and spirited merchant of Montreal, was busily engaged in fitting out the first steamer that ever ploughed the waters of the St Lawrence. On the 3d of November, this ever-to-be-remembered little craft got up steam, shot out into the current, and after a voyage of thirty-six hours' sailing arrived safely at Quebec, where the whole city crowded to have a look at the nautical phenomenon. "The steamboat *Accommodation* has arrived," said the old *Mercury*, in the fulness of its wonderment, "with ten passengers. . . . No wind or tide can stop her. The price of a passage is nine dollars up, and eight down. The wheels are put, and kept, in motion by steam operating within the vessel." Fulton's first steamboat navigated the Hudson, the *Accommodation* cleaved the more magnificent waters of the St Lawrence. A new light had burst upon the mind of Canada; a fresh impetus had seized upon her prosperity.

It was highly creditable to the province that the second steamer built on this continent was launched at Montreal.

The new Assembly met on the 29th of January, when Panet was again elected speaker, and confirmed in that office by the 1810. Governor, whose opening speech was formal as usual. He alluded to the probable war with the United States, to the necessity of checking the forging of bills of exchange, touched upon the dissolution of the last Assembly, and declared himself prepared to give assent "to any proper bill for rendering his Majesty's judges of the Court of King's Bench ineligible in future to a seat in the House."

The conciliatory tone of the speech gave fresh courage to the Commons of Lower Canada. "The Governor had incurred the displeasure of the Home Ministry," it was said, "by his arbitrary conduct," so the Assembly now determined to become arbitrary in turn. By a vote of twenty-four to eleven they decided by resolution, "that the executive's approving the conduct of one part of the Legislature, and censuring that of the other, was contrary to the spirit of the Constitution, a breach of their privileges, and dangerous to the rights and liberties of his Majesty's subjects in the province. At the same time, an address was voted to the King, breathing the most ardent and devoted loyalty. The Assembly likewise offered to defray the expenses of the civil list, now amounting to some £50,000 annually. This offer was coolly received by the Governor, and as Parliament was dissolved before the estimates were laid before it, no action for the present was taken thereon. The breaking out of war postponed its subsequent consideration.

Meanwhile, a bill had been introduced in the Assembly to disqualify judges from sitting there, and was transmitted to the Legislative Council, who returned it with the amendment that it was not to come into force during the present Parliament. The Assembly now became indignant, and declared the seat of Mr De Bonne, a judge, vacant by a vote of eighteen to six. This brought matters to a crisis; and down came the resolute old general to dissolve them again. He was loudly cheered by the people, who were more amused than otherwise by these novel occurrences, and the military promptitude of their veteran Governor. The late members, however, aided by their friends, soon took measures to arouse another feeling in the minds of the multitude. Songs and pasquinades, suited to the vulgar taste, were written and circulated; while the *Canadien* became more abusive than ever. The breach became wider and wider every day. The colonists of British origin, almost to a man,

ranged themselves on the side of the despotic Governor: those of French descent stood up for the more constitutional Assembly.

Lower Canada at this period had five newspapers: four of these favoured the Government and the British minority, while *Le Canadien*, the smallest of the lot, was the sole advocate of the majority. Its tongue cut keen, and it stoutly stood its ground, although there were four to one. This will never do, thought the Governor and his council, insubordination must not be permitted in the ranks, and an election approaching. So, on the 17th of March, a party of soldiers, headed by a magistrate and two constables, proceeded to the office of *Le Canadien*, seized the press, and all the papers they could find, and conveyed them to the vaults of the city court-house. Lefrançois, the unlucky printer, was also pounced upon; and after an examination before the executive council, committed to prison. The guards were strengthened, patrols scoured the streets, and a miniature "Reign of Terror" had begun. Six French-Canadian gentlemen were apprehended a few days afterwards on a charge of treasonable practices, and the simple habitants looked for the revelation of some terrible conspiracy. But nothing was discovered. The presumed conspirators were released one after another without trial as time progressed; and although the Governor issued a proclamation, as tedious as one of his parliamentary speeches, on the 21st March, little ever came out of the business.

This despotic and unconstitutional conduct, on the part of the executive, merely daunted the habitants for the moment. Time had inoculated them with a portion, at least, of the spirit of British freemen, and they determined on an independent exercise of their franchise. The old members of the Assembly for the most part were re-elected, Panet was again chosen speaker, and the Governor once more submitted to stern necessity, and confirmed him in that capacity.

A third dissolution would scarcely have been orthodox parliamentary usage, so the Governor met the new Assembly in a more conciliatory spirit, and the members, disliking the idea of being unceremoniously turned out of doors a third time, Cromwell fashion, were disposed to conduct themselves more amiably. A sly war of words took place between the belligerents, but the Assembly passed, however, the measures recommended by the Governor, with unusual speed, and among which was "the continuation of the act for the better preservation of his Majesty's government," under which the late arrests had been made, and under which, also, Mr Bedard, one of their number, was still held in durance. The medicine was de-

cidedly bitter ; but the Assembly swallowed it, nevertheless, though with a clause in favour of their own body ; but as this clause had only a prospective effect, the executive still kept Bedard in prison. The Assembly now passed a resolution declaring this course illegal, and voted a humble address to his Excellency, praying that Pierre Bedard, Esq., might be released, and allowed to take his seat in the House. But the committee appointed to present it had not suf-

1811. ficient moral courage to beard the old general in his castle of St Louis, and the Assembly were fain to sympathise with their want of nerve, and relieved them from this duty. The victory was decidedly on the side of the Governor, so he released Mr Bedard shortly after at his own pleasure.

The session of the Legislature assembled in the beginning of 1811, passed smoothly over. The bill to disqualify judges from becoming members of the House was passed, and received the royal sanction through the Governor. The health of the latter was very feeble ; he was about to return to his native country ; and, after alluding to the great prosperity of the province, he recommended the Legislature to act unanimously for the public good. " I am earnest in this advice, gentlemen," said he. " It is probably the last legacy of a very sincere well-wisher ; who, if he lives to reach the presence of his sovereign, would be proud to be able to say that the people he had found separated by mistrust and jealousy, he had left cordially united, and rivalling each other only in the affectionate attachment to his Majesty's government, and in generous exertions for the public good."

This language bears every mark of sincerity ; and even if General Craig, from previous habit, and a long training in the camp and barrack-room, was arbitrary in his conduct, there can be no doubt that his intentions were of the purest character. Although he had overstepped the bounds of constitutional government, and thereby caused some individual suffering, his firmness had a salutary effect : it repressed the unwholesome spirit of dissension which had begun to manifest itself in the Assembly, and tended on the whole to the public good. Still, it must be admitted, he could have been equally firm, without being equally arbitrary, and that he would have promoted the public weal just as effectually, had he not imprisoned innocent men, and violated the rights of private property. Having obtained leave of absence, he quit Canada on the 19th of June, to the great regret of the British population. His frame had long been sinking under dropsy and other infirmities. The shadow of death was already falling on him, and he died in England in the January

of the next year, at the age of sixty-two, having served his country forty-seven years in all parts of the world. Simple, earnest, and honest, there can be little doubt that Sir James Craig was the victim of circumstances, and that his confidence had been abused by the oligarchy, who, as in Upper Canada, then held supreme sway in the province. An irresponsible executive was at the root of most public disorders, and as time progressed it became evident that Lower Canada had to pass through the same revolutionary ordeal as its western sister. In both provinces identical causes were producing precisely similar results, and at nearly the same time.

## CHAPTER XII.

### UPPER CANADA FROM 1791 TO 1811.

#### THE ADMINISTRATION OF JOHN GRAVES SIMCOE, ESQ.

WE have already seen that Upper Canada, or Ontario as it is now termed, remained a mere wilderness, with the exception of a few trifling settlements, till the termination of the American war of Independence. From that period to its separation from Lower

Canada in 1791, it continued a portion of the Province of 1791. Quebec, and was under the immediate control of its government. Its population had in the meantime slowly increased, and when erected into a separate province, with a legislature modelled on the same principle as that of its sister government, Upper Canada contained about twenty thousand souls. These were scattered along the St Lawrence from Lake St Francis upwards to Kingston, thence around the Bay of Quinte; along the Niagara frontier, at Amherstburg, in the old French settlement on the Thames, and in the Iroquois' settlement at Grand River.\*

The backwoodsman, whose fortunes are cast in the remote inland settlements of the present day, far removed from churches, destitute

\* The Mohawk tribe, almost to a man, quit their beautiful valley and retired to Canada with the loyalists, under the leadership of their celebrated chief, John Brant, on whom Campbell conferred an unenviable, though it would seem unjust, immortality in his "Gertrude of Wyoming." Stone asserts, in his *Life of Brant*, that he was not even present at the massacre of Wyoming, and with every appearance of truth. Brant was a Christian, and a member of the Church of England. In 1786 he built a church on the Grand River, for which he collected funds during a visit to England, and there he placed the first "church-going bell" that ever tolled in Upper Canada. Shortly before his death he built a commodious dwelling-house, two stories high, for himself near Burlington Bay. Here he died on the 24th November 1807, at the age of sixty-five years, after a painful illness borne with Christian patience and resignation. He was succeeded in the chieftainship of the Mohawks by his fourth son, John.—See *Stone's Life of Brant*, vol. ii. pp. 494-500.

of ministers of the gospel and medical men, without schools, or roads, or the many conveniences that make life desirable, can alone appreciate, or even understand, the numerous difficulties and hardships that beset the first settler among the ague-swamps of Western Canada. The clothes on his back, with a rifle or old musket and a well-tempered axe, were not unfrequently the full extent of his worldly possessions. Thus lightly equipped he took possession of his two hundred acres of closely-timbered forest-land and commenced operations. The welkin rings again with his vigorous strokes, as huge tree after tree is assailed and tumbled to the earth ; and the sun presently shines in upon the little clearing. The best of the logs are partially squared, and serve to build a shanty ; the remainder are given to the flames. Now the rich mould, the accumulation of centuries of decayed vegetation, is gathered into little hillocks, into which potatoes are dibbled. Indian corn is planted in another direction, and perhaps a little wheat. If married, the lonely couple struggle on in their forest oasis, like the solitary traveller over the sands of Sahara, or a boat adrift in the Atlantic. The nearest neighbour lives miles off, and when sickness comes they have to travel far through the forest to claim human sympathy. But fortunately our nature, with elastic temperament, adapts itself to circumstance. By and by the potatoes peep up, and the corn-blades modestly show themselves around the charred maple stumps and girdled pines, and the prospect of sufficiency of food gives consolation. As winter approaches a deer now and then adds to the comforts of the solitary people. Such were the mass of the first settlers in Western Canada. Within the brief space of seventy-six years, how marvellous has been the change.

When Governor Simcoe arrived in Upper Canada, on the 8th of July, beyond a small village at Kingston, and another 1792. at Newark, or Niagara, with an occasional cluster of log-cabins, there was nothing in the country that was entitled to the name of town. Newark being the most central, and at the same time the most populous of these villages, he determined should be his capital for the present ; and here he accordingly fixed his residence in a small frame house, about half a mile from the village ; and here, also, he assembled the first Provincial Parliament of Upper Canada on the 17th of September. The Lower House was composed of sixteen members, plain farmers or merchants ; the Upper House of a still smaller number. Yet the acts of the first session of the first Parliament of Upper Canada displayed great common sense, and an intimate acquaintance with the necessities of the country. They were eight

in number. One introduced the English civil law ; another established trial by jury ; a third provided for the easier recovery of small debts. There was an act to regulate the toll to be taken in mills ; from which we may gather, that millers were as much disposed to take more than their share in those days as at a later period. They were now restricted to one-twelfth as their proportion for grinding and bolting. Another act made provision for building a jail and court-house in each of the four districts, into which the province had been divided. These comprised the Eastern, or Johnstown district ; the Middle, or Kingston district ; the Home, or Niagara district ; and the Western, or Detroit district. These districts were again subdivided into twelve counties.

Even in these rude times when men flung down the axe, left the plough to repose, or ceased to swing the scythe to mature laws, in what was little better than a log barn, at Niagara, there was more of the spirit of real progress in Upper than in Lower Canada. It took the courtly seigniors of the latter seven months, at their first session of Parliament, to mature eight bills ; the home-spun farmers of Upper Canada did precisely the same amount of work in five weeks. They were evidently men after Governor Simcoe's own heart, to judge from the speech with which he closed the session on the 15th of October.\*

\* "It is with very great satisfaction that I have considered the acts which you have found it expedient to frame, and to which, in consequence of the power delegated to me, I have this day given my assent, that they shall become laws of Upper Canada.

"As the division which his Majesty, in his wisdom, thought proper to make of the late province of Quebec obviated all inconveniences, and laid the foundation for an establishment of the English laws in the province, it is natural to presume that you would seize the first opportunity to impart that benefit to your fellow-subjects ; and by an act to establish trial by jury, and by that, which makes the English law the rule of decision, in all matters of controversy, relative to property and civil rights, you have fully justified the public expectation. Your other acts seem calculated to promote the general welfare and convenience of the province.

"His Majesty, in his benevolence, having directed a seventh from such lands as shall be granted to be reserved to the Crown, for the public benefit, it will become my duty to take those measures which shall appear to be necessary to fulfil his Majesty's gracious intentions ; and make no doubt but, as citizens and magistrates, you will give every assistance in your power to carry into full effect a system, from which the public and posterity must derive such peculiar advantages.

"I cannot dismiss you without earnestly desiring you to promote, by precept and example, among your respective counties, the regular habits of piety and morality, the surest foundations of all private and public felicity ; and, at this juncture, I particularly recommend to you to explain, that this province is singularly blest, not with a *mutilated constitution*, but with a constitution which has



His Excellency had served in the American war, still retained the command of a regiment, and held besides the rank of brigadier. In addition to his pay he owned extensive estates in England,\* and it is difficult to conceive what could have induced him to bury himself in the forests of Canada. The enlightened and liberal measures he pursued lead to the supposition that he was actuated by patriotic motives; but very probably these were not unmixed with the belief a war would ere long spring up between Britain and her revolted colonies, in which as Governor of Upper Canada he must play an important part, and thus gratify the dislike he had conceived against America.† As a member of the British House of Commons he supported Mr Pitt's bill giving a new constitution to Canada, and possibly he desired to carry out the measure he had advocated. But, whatever might have been his motives for accepting the Governorship of Upper Canada, his designs were on a scale commensurate to the vastness of the country, and were attended with the most beneficial consequences.

When Mr Simcoe first came to Canada he supposed that the Home Government would retain possession of the fort on the American side of the Niagara River,‡ and which was still strongly garrisoned by British troops. When he found it was to be surrendered, he abandoned the design of making Newark his capital, as it would be too near the frontier. "The chief 1793. town of a province must not be placed under the guns of an enemy's fort," said the Governor, and he accordingly turned his attention to procuring a more suitable site for the metropolis of Upper Canada. In the summer he coasted along the upper shore of Lake Ontario; took a look into Welland River, and Twenty-mile Creek; surveyed Burlington Bay; and finally halted near the ruins of the old French fort, Toronto, so called after the Italian Tarento, where the inmates of a solitary wigwam§ represented the Huron

stood the test of experience, and is the *very image and transcript of that of Great Britain*;\* by which she has long established and secured to her subjects as much freedom and happiness as is possible to be enjoyed under the subordination necessary to civilised society."

\* Rochefoucault's Travels, 1795.

† Gourlay, vol. ii. p. 144.

‡ During Simcoe's government the construction of Fort George on the British side of the river was commenced nearly opposite to Fort Niagara. Another fort was soon after commenced at Amherstburg, to which the garrison from Detroit was withdrawn.

§ Bouchette's Topography, p. 607.

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\* In making this statement Mr Simcoe evidently forgot the irresponsible executive of Canada.

nation on this their ancient hunting-ground. Here a neck of land stretching boldly out into the lake formed a secure harbour for shipping. Lake Ontario rolled thirty-six miles of its waters between it and the American shore, thus lessening the dangers of invasion; and the vast forests of beech and maple, and other hard woods of Canada, that stretched away along the old French track towards Lake Simcoe, showed the land to be fertile. The geographical situation of Toronto was excellent. To the east, and south, and west, the broad lake gave easy access. To the north, thirty miles gained the Holland River, then navigable for its short intervening distance to the beautiful lake into which it falls. From Lake Simcoe it was easy to penetrate to Lake Huron, on the one hand, and to the chain of small lakes lying towards the Upper Ottawa, on the other. All these considerations no doubt presented them-

selves to the mind of Governor Simcoe, whose industry  
 1794. had already made him acquainted with the resources of the country; and he determined that Toronto should be his capital city. The result has amply justified his choice. From a locality where fifty years ago the beaver gambolled in solitary streams, rarely visited by human footsteps, and where fever and ague reigned supreme, has arisen one of the most beautiful cities of the American continent, with a population of fifty thousand souls. In

1795. 1795 the infant city was described by the French traveller, Rochefoucault, as containing twelve houses, besides the barracks in which Simcoe's regiment were quartered. The inhabitants he stigmatised as not possessing the fairest character.

The liberality with which land was granted to actual settlers, quickly induced many persons to emigrate from the United States to Upper Canada. Its population soon rose to thirty thousand souls, and Governor Simcoe now began to dread that the country would be chiefly settled by Americans; who, despite their oath of allegiance, might not always make the most loyal subjects. They were hard-working peaceable citizens, nevertheless, and his desire to see the country prosper would not allow him to thwart their settlement within his government. Here was a new difficulty. If Toronto, or York, as he named it, should be chiefly settled by Americans, he might just as well make Newark his capital. He now conceived the idea of establishing the metropolis of Canada on a river, named De la Trenche in old French maps, but which he re-christened by the name of Thames, and on which his London of the New World was to arise. A belt of loyal settlers stretched along the coast of Lake Erie was to give additional security to the future city, as

regarded internal disaffection, and to form an efficient militia in time of war.

Governor Simcoe's plans, however, were thwarted in a direction he did not anticipate. In civil matters he was dominant in his province, and with regard to them communicated directly with the British ministry. But Upper Canada had little public revenue of its own; the Governor-General, Lord Dorchester, held the imperial purse-strings, was, moreover, Commander-in-chief of British North America, and had therefore the disposition of troops and vessels of war. He directed that Kingston should be the principal naval and military station of Lake Ontario; such it accordingly became, and such it remains to the present time. Forty-three years afterwards, Sir John Colborne carried out Governor Simcoe's plan in part, by erecting extensive barracks on the spot he had chosen for his metropolis. Houses rapidly sprung up in their neighbourhood; and the London of Canada has already expanded into a flourishing city of eighteen thousand inhabitants, the centre of a vast system of railroads, and the capital of the most fertile district of Britain in the New World.

The second session of the Upper Canada Parliament commenced at Niagara on the 31st of May, and thirteen useful bills were passed. One of these provided for the payment of 1793. members at the rate of two dollars per day; a very moderate allowance for legislators at a time when ordinary farm-labourers received half that sum for eleven hours' work. But by far the most important law passed at this session was one levelled against slavery, which, although opposed to the spirit of the common law of England, had nevertheless been permitted to exist in the Canadas by an act of the Imperial Parliament. This act licensed the importation of slaves into the "Province of Quebec," and under its authority a few negroes had been already introduced into Upper Canada. But slavery was fully as repugnant to its rustic legislator as it was to the Magna Charta of King John, and he now declared that no more slaves were to be imported into the colony under certain pains and penalties, and that even voluntary contracts for personal services were to be limited to nine years. But he did not think even this a sufficient step in the cause of human freedom. While the act confirmed the property of masters in slaves, imported under authorised licences, provision was made that their future children should be manumitted at the age of twenty-five years. Thus, ten years before slavery was abolished in Lower Canada, by the decision of its Chief-Justice, the farmers of Upper Canada had struck a blow fatal to its existence, and

in the lapse of a few years every semblance of it had disappeared from the province.

The Parliament of Upper Canada, in those days, was elected every four years, and the first Assembly accordingly terminated with the session of 1795, held at Niagara. The laws enacted were all of a useful and eminently practical character, and reflected considerable credit on their framers.

Beyond the information to be gleaned from the Statute Book and the scant public records, little is known of the social condition of Canada West at this period, although time stood on the threshold of the present generation. The public press of the province was limited to a demy sheet, issued as a Government *Gazette* at Niagara, not the fourth part of the expense of which was repaid by its circulation, averaging from fifty to one hundred and fifty copies. It was published weekly, and contained short abstracts from the New York and Albany papers, as well as from the *Quebec Gazette*, of news usually a month old. The little press on which it was thrown off served also to print the acts of the Legislature, and the proclamations and circulars issued by the Governor, which gave it the greatest share of employment.

Owing to complaints made by the American Government with regard to Governor Simcoe's exciting the hostilities of the Iroquois, both in Canada and western New York, and his plans not being approved of by either Lord Dorchester or the British ministry, he was recalled in 1796, when Mr Russell, as senior member of the Executive Council, assumed the direction of public affairs.

No sooner had the Governor departed, than the principal designs he had formed, many of which were most judicious, were abandoned, and several of his engagements with settlers violated. Lands which he designed should be given to actual occupants were seized upon by the favourites of men in power for the purpose of speculation. Great injury was thus inflicted upon settlers whose properties were insulated by forest tracts, which shut them out from mutual intercourse and help, so necessary in a new country; while, at the same time, this condition of things rendered their farms of less value.\*

This year Niagara ceased to be the capital of Upper Canada. The Government offices were removed to Toronto, where the second Parliament of the province assembled on the 1st of June, to hold its second session, at which seventeen acts were passed and confirmed by the President.

\* Gourlay, vol. ii. p. 310.

No Governor having arrived, Mr Russell still continued to direct the administration. On the 5th of June, in the following year, he again assembled the Legislature; and likewise performed the same office on the 12th of June, 1799. Meanwhile Major-General Peter Hunter had been appointed Lieutenant-Governor of the province, and arrived out in the course of the year.

THE ADMINISTRATION OF PETER HUNTER, ESQ.

Canada under French dominion, as we have already frequently seen, was never able to compete with the British colonies for the western trade. The rapids of the St Lawrence, and the long portages they rendered necessary in its ascent, made the communication tedious and difficult with the great lakes; and, aside from a restricted trade, placed a formidable barrier in the way of inland commerce. The road to Lake Ontario was comparatively easy from New York or Albany, and the greater rapidity with which merchandise consequently traversed to and fro from the sea-board, gave the merchants of those cities an immense advantage over traders from Lower Canada. The same state of things precisely continued long after the first settlement of Upper Canada, which became almost immediately tributary to the trade of the State of New York, and so continued till the construction of the St Lawrence canals removed the unfavourable features in its geographical position. Western New York dates its settlement from the same period as Western Canada. But the former had much greater advantages on its side, and its progress at first was consequently more rapid. An international commerce soon began to spring up across Lake Ontario, the upper St Lawrence, and the Niagara River. This, the non-speechifying, practical legislators of the province deemed it necessary to regulate, and accordingly in their session convened by General Hunter, at Toronto, on the 2d of June, an act was passed with that object in view, and which gave the Governor in council power to establish ports of entry, and adopt such other measures as might be desirable.

Still, it was evident that the commercial intercourse which had sprung up between the two countries had not removed the Canadian jealousy of the presumed American desire for conquest; so, in the ensuing year an act, about to expire, for the better security of the province against the King's enemies was continued in force. To help the Crown to defray the increased civil expenses, the duties collected on products brought from the United States, which were the same as those levied on English goods, were handed over to his Majesty for a certain term, and Cornwall, Brockville, (Johns-

town,) Newcastle, Toronto, (York,) Niagara, Queenstown, Fort Erie, Turkey Point, Amherstburg, and Sandwich declared ports of entry. The Governor had the privilege of appointing collectors, whose salaries were not to exceed £100 currency; while below that sum, they were paid with one-half the amount of all the duties they collected; from which it may be gathered, that this branch of revenue was not in a very flourishing condition. Another act, passed at this session, prohibited the sale of spirituous liquors and strong waters in the Indian settlement on the Thames.

All this time English, Irish, Scotch, and American emigrants, the latter still the most numerous, came to seek a home in the new province; but the English, as at the present day, were the fewest of all. From Ireland, where the troubles of '98 had left many a hearth desolate, and many a heart seared and crushed with sorrow, came most of the old country people. Better a free home, even though it were the rudest shanty of the backwoodsman in the sad and sombre forests of Canada, than the cottage in old Erin, where any moment the White-boy might cruelly thrust the crackling turf into the thatch, or the minions of Castlereagh level its walls to the ground. And thus settlements gradually spread on every side.

1802. When the Legislature next sat, the new district of Newcastle had been formed, and an act was passed providing for the administration of justice therein. Another act opened new ports of entry to meet the wants of the increasing population. A third granted £750 to encourage the growth of hemp, with a view to make England independent of Russia, and voted £84 for stationery for the House; a very moderate sum for writing materials, when compared with the present public expenditure of Canada in that way.

Aside from the proceedings of the Legislature there is very little known of Mr Hunter's administration. Responsible govern-

1803. ment did not then exist: there was no "opposition party" in Parliament, nor an independent press to chronicle its sayings and its doings, and comment on its measures, had the contrary been the case. The farmers and store-keepers kept close to their farms or their shops, and when they happened to be members of the Assembly, and had legislated to their hearts' content, went home to look after their business, leaving the irresponsible executive to take care of theirs, without troubling themselves further about the conduct of affairs. At all events, in a Commons of sixteen, or in a Legislative Council of eight or ten members, some of whose literary acquirements barely extended to a knowledge of reading and writing, a majority against ministers would not be a very terrible affair. There were neither reformers

nor conservatives in those days, and public questions were decided solely on their merits: party had nothing to do with them one way or the other. The Assembly made laws to guide the executive, and the executive enforced them or not as they deemed proper; so matters up to 1804 had progressed harmoniously. While 1804. the country was very sparsely populated, and the people poor and ill-informed, this might, after all, be the best possible state of things. Canada had hitherto been too young to admit of a healthy political opposition to any public measure, and faction among a race of rough backwoodsmen must have seriously retarded the progress of the country. The people had few taxes to pay, and for years had been too busy tumbling down the huge forests, getting out rails, planting wheat and corn and potatoes, and making their homes more comfortable, to trouble themselves much about the affairs of government.

Over twenty years of hard and incessant toil and an average prosperity, at length gave leisure to the early pioneers of Canada to look around them, in order to see how matters 1805. had progressed during their long and arduous struggle with the forest. They now perceived that a new state of things had gradually arisen, and that while they had been improving their condition, and the country slowly prospering in proportion to their individual success, causes had been silently operating which laid the foundation of serious public evils. Among the principal of these was an irresponsible executive council, which had speedily gathered round itself the whole administrative influence of the colony. This council was composed of the Governor, and of five others removable at his pleasure. It was, therefore, to all intents and purposes a one-man-power, provided the Governor was a person of resolution and ability; but if he were weak or timid, then the rest of the council became the supreme power, and acted as they deemed proper.

In a wealthy and populous community, a House of Assembly, and an intelligent and independent press, might serve as a counterpoise to an absolute executive of this kind, but in Canada West, at this period, the trifling public revenue, wholly inadequate to meet the current expenses of the civil list, had already been handed over to the Government, and no check could under these circumstances be established by an annual vote of supplies. As for the public press of the province, it was still composed of the solitary *Gazette*, which was completely in the hands of the Government, and accordingly supported every measure of the executive.

To understand the position of Canada at this period, it must be remembered, that in Great Britain the Constitution had been the

product of ages, and happily was of so expansive a character as gradually to adapt itself to the increased intelligence and necessities of the people. Of this intelligence and these necessities Magna Charta itself was the offspring. At a later period they produced the revolution which drove the despotic James from the throne, and inaugurated a new era of constitutional liberty with the accession of William III. With him, also, came in responsible government, and from thenceforth when ministers could not command a majority they retired from office. It will, therefore, be seen at a glance that the British ministry, in framing the Constitution of 1791 for Canada, had evidently presumed that its social condition must resemble that of England before the Revolution of 1688, and gave it accordingly very nearly the form of government existing there anterior to that period. Canada had accordingly to go through the same revolutionary ordeal, with the difference that its rapid increase in population and wealth brought the crisis about in a few years, which in England it had taken generations to mature.

Where electors do not exercise an indirect influence upon Government through their representatives, the elective franchise is of little comparative value. The executive is the only real governing power in the state, and the people must be content to be ruled by the King or his representative, if he is a despot like James II. or Oliver Cromwell, or by an oligarchy. Thus, the Canadian Constitution of 1791 only permitted of a single alternative. To be governed by an oligarchy was the fate of both Upper and Lower Canada. Circumstances cast the balance in its favour, and even as early as 1805 its reign had already commenced. A pure despotism wielded by a conscientious man of talent would no doubt have been preferable to this mode of government, had it not, fortunately, been a stepping-stone to a better state of things. Had the Constitution of 1791 made due provision for a change to responsible government, when the wealth and intelligence of the people warranted such a step, much disorder and some misery would have been avoided. Still, it had all the progressive qualities of its venerable ancestor; time corrected its errors; and as the English Constitution outlived the Revolution of 1688, so did that of Canada exist after the union of the two provinces. Its Constitution is now almost a perfect transcript of that of the mother country, and promises to endure for ages.

The evils of an irresponsible government, of themselves sufficiently oppressive, were increased by causes of a local character, and which could only exist in a new country. As Canada West became more prosperous, it also became the refuge of a host of poor gentlemen,



half-pay officers and others, who came thither to improve their fortunes. While under French dominion, this class of persons had proved a serious drawback to the prosperity of Lower Canada ; and as Canada West had no commissions to give in a corps of "Colony Troops," matters were now worse with them than ever. Some had sold their commissions ; their grants of lands were likewise soon disposed of at a dollar or two an acre ; and they then became hangers-on of the administration, to be thrust into every petty office as it became vacant, whether they were fit for it or otherwise. Others, more prudent, retained at least as much of their land as they considered they could cultivate to advantage, and sought to preserve by their exclusiveness the superiority which they supposed their advantages of education, and the station they had occupied hitherto in society, ought to entitle them to. But, in a country where even Governor Simcoe could not retain a single male servant ; where a man could acquire two hundred acres of fertile land by simple occupation or three months' wages ; and where a number of small proprietors in fee-simple created a conservative democracy, this claim to superiority was somewhat difficult to be established. Hence this class also came to regard government influence as the only way of preserving their presumed respectability. So their necessities gradually drew these poor gentlemen of Canada closer and closer, till at length they became a distinct party in the country. Fostered by an irresponsible Government, which leaned to the foundation of a Canadian aristocracy, this party gradually acquired strength and influence ; its members intermarried backwards and forwards among themselves, and at length it emerged into the full-blown, famous Family Compact.

But there was a third class of poor gentlemen who pursued a wiser and more manly course. Acting on the truism, "that God helps those who help themselves," they readily adapted themselves without complaint to their altered condition. While they learned to wield the axe and swing the cradle with the energy and skill of the roughest backwoodsman, they retained their polished manners, their literary tastes, their love for the beautiful and the elegant, and thus exercised the most beneficial influence on their rustic neighbours. In the absence of schools, of churches, of most of the refining influences of civilised society, this class of the early settlers of Upper Canada were foremost in usefulness. Their superior education, their well-bred manners, their more refined habits, raised them in the estimation of the rural population, who soon tacitly admitted a superiority, which would never have been conceded were it more directly asserted.

Thus, as early as 1805, we find two distinct parties existing in Canada West, which were very closely assimilated to the Tory and Whig parties of Great Britain anterior to the Revolution. The first clung to an irresponsible executive, as the source of their power and even of their very existence; the second desired a larger measure of constitutional liberty. The advantages of government support, more ample means, and more generally diffused intelligence, gave the Tory party a long and decided superiority; still the triumph of their opponents remained merely a matter of time.

A system of favouritism, and the constant desire of parties in power to benefit their friends and supporters, speedily produced many abuses under the easy sway of Governor Hunter. Patents were refused to actual settlers for lands which were subsequently deeded to non-occupants. Upwards of £60,000\* were annually expended for the benefit of the Indian tribes, and presented a favourable opportunity for speculation, of which many were not slow to avail themselves. The provisions, clothing, and farming utensils granted by the British Government for the benefit of poor loyalists, were in many cases handed over to favourites; in others, allowed to become useless, from negligence, in the public stores.†

Nor was the administration of justice what it might be desired, or what it most undoubtedly ought to have been. \* Judges did not hold their commissions for life, if they conducted themselves with propriety, as at the present day, and were removable at the pleasure of the Crown. This circumstance weakened their personal influence, and in some cases, possibly, swayed their decisions. Juries accordingly disregarded the bench. On one occasion, in the presence of the Chief-Justice, the people became tumultuous, and the stocks were publicly broken. Shopkeepers were usually the justices of the peace, and thus armed with the means of extortion, and the power of enforcing payment, not unfrequently used both in their own favour. The courts of appeal were badly constructed; their practice arbitrary and oppressive. Favourite attorneys were made deputy-clerks of the peace, so that writs might be more readily obtained, while the Crown lawyer was "paid by the job," and allowed about £7 for each criminal prosecution, a temptation to frivolous indictments.

In one instance, an action was brought against a magistrate for an illegal decision, and he was mulcted in £100. An attempt was made to set this verdict aside in the King's Bench, but that failing, the Crown lawyer ordered the clerk of the court not to

\* Gourlay, vol. ii. p. 150.

† Jackson's Pamphlet on Canada, 1809.

issue the execution, which was therefore refused. A sheriff, again, dare not apply for his fees ; nor the printer sue for the money voted him by the Assembly for printing their journals ; nor the public surveyors press their claims for services rendered in laying out new townships. Such was the condition of matters when Mr Thorpe, a respectable English lawyer, arrived in Canada West as one of the judges of the Court of King's Bench, and whose upright conduct tended to allay the irritation now beginning to spread itself among the people.

THE ADMINISTRATION OF FRANCIS GORE, ESQ.

Mr Hunter having been recalled, after a brief interregnum by Alexander Grant as President, Mr Gore arrived from England to take charge of the province, as Lieutenant-Governor. 1806. This gentleman stood high in point of personal worth ; was of a manly and generous though easily influenced disposition ; and, no doubt, desired to govern the province justly. The faults which subsequently distinguished his administration were evidently owing to his ignorance of the country, in the first place ; to a subservient Legislature, and a too great proportion of arbitrary power, in the second, and which power unfortunately he soon resigned into the hands of the oligarchy. As might naturally be expected, he was almost immediately surrounded, on his arrival, by the leaders of the Tory party, and was speedily influenced in their favour. Compared with these courtly gentlemen, who composed, in a measure, the best society of the little capital, and enlivened the soirees of the Governor by the wit and polished manners they had acquired in refined circles in the mother country, the frieze-coated farmers had not the remotest chance of obtaining ministerial influence.

Still, the people did not stand the less sturdily up for their rights. An impartial administration of justice had made Judge Thorpe already popular, and when he went on circuit the several grand juries intrusted their grievances to him, to be laid before the Governor. The latter soon became prejudiced against the judge, and when a constituency almost unanimously invited him to represent them in Parliament, (for in those days judges were eligible for the office,) every Government engine was set at work to defeat him. Thorpe never solicited a vote ; still he was elected. The solitary newspaper was now loud in its abuse, and denounced the people's favourite in no measured terms. This led to the establishment of an independent journal, the *Upper Canada* 1807. *Guardian* ; so the war between the rival parties had fairly com-

menced.\* Thorpe, however, fell a victim to his popularity. The representations of the Governor procured his recall by the Secretary of State.† He subsequently sued Mr Gore in England for libel, got a verdict in his favour, was discarded by the ministry on the first opportunity, and in old age and infirmity consigned to poverty and neglect.‡

The first session of the Provincial Parliament convened by Mr Gore, was distinguished by a very liberal appropriation of £800 for the purpose of paying the salaries of masters of grammar schools, in each of the eight districts into which Upper Canada had by this time expanded. The patronage was vested in the Government. The sum of £100 a year was an object to a half-pay officer, or some other reduced gentleman; so the greater part of the masterships were given to this class of persons, who, from their previous habits, and ignorance of the principles of tuition, were every way unfit for the office. Other acts passed this session continued laws about to expire, the most important of which was that handing over the customs' duties to the Crown for a period of two years longer.

While we have been thus careful to trace, as accurately as possible, the rise of political parties in Canada, and the origin of those causes which subsequently led to serious evils in the state, we do not desire to convey the impression for a moment that the people at this period were dissatisfied with the fundamental principles of the Constitution. Responsible government was a question of much later origin. Whatever dissatisfaction at this time was felt by the public was chiefly directed against the arbitrary conduct of the executive, the extortions of law officers, and individual acts of oppression. The great bulk of the people continued to be steadily attached to Great Britain; and although several desired to connect themselves

\* Willcocks, the editor of this paper, was an Irishman of respectable parentage. He had been sheriff of the Home District, but was deprived of his office in 1806, for voting against the wishes of the Governor at Thorpe's election. He soon became popular with the people, was elected to serve in the Assembly, which speedily thrust him in the Toronto jail, then a miserable log-hut, for making too free with their affairs. Released from this, he became still more popular, and for a while was at the head of the majority in the Assembly. The troubles of 1812 forced him to give up his paper, when he shouldered a musket and fought as a volunteer against the Americans at the battle of Queenstown. Still, Government treated him harshly, and at length, thoroughly disheartened and disgusted, he deserted to the enemy, taking a body of Canadian militia over with him. The Americans rewarded his treason by making him a colonel. He was afterwards killed at the siege of Fort Erie while planting a guard.

† Jackson's Pamphlet on Canada, 1809.

‡ Gourlay, vol. ii. p. 335. Bonnycastle's Canada as it Was, &c., vol. i. pp. 51, 52.

with the United States, and whose representations led in a measure to the invasion of the province in 1812, this treasonable feeling was by no means general. There was no desire, as a rule, to cure existing evils by superseding the monarchical institutions of the colony with a republic. A purer administration of justice, a milder and more impartial sway on the part of the executive, were all that were necessary to secure the loyalty of the great mass of the people. Owing to the agitation connected with the election of Thorpe, the exposures made by the opposition press, and other occurrences favourable to liberty and free inquiry, concessions of this character were made about this time, and public matters progressed more smoothly. During the course of the year, Judge Powell, who figured so prominently in the affairs of Canada West, became a member of the Executive Council.\*

Meanwhile, the province had continued to prosper steadily. New settlements had spread themselves out in every direction into the interior, and the population had increased to about 1809. seventy thousand souls. The commerce of the country had progressed in proportion. By an arrangement with the lower province, goods for Canada West were now entered at Couteau du Lac, and the amount collected on these, for the year ending January 5th, exceeded £4000 currency. There was also a considerable importation by way of the United States, and the public revenue from customs' duties alone was now nearly £7000. The tariff was very low. The duty on liquors, exclusive of a small impost levied by the Imperial Government, for the support of the civil administration of the province, was sixpence per gallon; on wine, ninepence; on teas, from twopence to fourpence per lb. The importations chiefly embraced groceries, as the bulk of the inhabitants manufactured their own wearing apparel.

No civilised country in the world was less burdened with taxes than Canada West at this period. A small direct tax on property, levied by the District Courts of Session, and not amounting to £3500 for the whole country, sufficed for all local expenses. There was no poor-rate, no capitation tax, no tithes or ecclesiastical rates of any kind. Instead of a road tax a few days of statute labour annually sufficed. Nowhere did the working man find the produce of his labour so little diminished by exactions of any kind. Canada West literally teemed with abundance; while its people, unlike the early French and American settlers, had nothing to apprehend from the red man, and enjoyed the increase of the earth in peace.†

\* Seventh Grievance Report, p. 303.      † Gourlay, vol. i. pp. 217-223.

The chief check to the greater prosperity of the country at this period, was the want of a paper currency, there being no bank in Canada. Gold and silver were the only circulating medium; and as the exports did not balance the imports, the little money brought into the colony by settlers, or paid out by the Government, was insufficient to meet the increasing wants of the community. A system of barter was thus originated between the merchant and farmer, highly prejudicial to the latter, and which frequently led him into debt. Nor were the public morals as much calculated to advance the welfare of the country as could be desired. Intemperance was a very prevalent vice; the rough backwoodsmen, too, were often quarrelsome in their cups, and pugilistic encounters very frequently took place. Murders, however, unlike a former period, were now of rare occurrence. The mass of the people may be described as a rough, home-spun generation; with little religion,\* still less education; but honest in their general demeanour, sturdy yet simple in their manners, and exceedingly hospitable in their homes.†

During this year little of moment occurred. The Legislature met on the 1st of February. To judge from the tenor of their  
 1810. proceedings no apprehension was entertained of a war with the neighbouring States, to which, however, events were now rapidly tending. The sum of £2000 was granted for laying out new roads and building bridges, by one act; another was levelled against forgers of bills of exchange and foreign notes and orders. These were the most important acts out of thirteen. During the summer  
 1811. of the ensuing year Mr Gore received leave of absence, being desirous to visit England. He proceeded thither shortly after, leaving the gallant Major-General Brock in temporary charge of the administration.

\* In 1809 there were only four ministers of the Church of England in Canada West, and comparatively few of other Protestant denominations.

† Gourlay, vol. i. pp. 247-256.

## CHAPTER XIII.

### CAUSES LEADING TO THE SECOND AMERICAN INVASION OF CANADA.

NOTHING could be more natural than that the American people, after the long and bloody struggle which won their independence, should cherish a feeling of bitter animosity towards the British nation, while they evinced a corresponding proportion of gratitude with respect to their allies, the French. They totally lost sight of the fact that the British Parliament were not by any means the British people, the great majority of whom sympathised with the struggle of their relatives in America for constitutional liberty, and bitterly deplored the miseries it produced. This feeling intermingled itself with the popular poetry of the country ; and many a mournful ballad, set to the pathetic strains of Celtic melody, commemorated, among the Highlands of Scotia and the vernal valleys of Erin, the deplorable events of the American revolutionary war. But the leaders of the Revolution were not actuated by the hostile feeling which had taken such firm hold of the undiscerning masses. Their aim was to overturn a pernicious system—to achieve their own independence ; not to crush a people whose interests, laws, religion and language were identical with their own. They felt America was merely an elder daughter of the ancient British family ; and that, although she had commenced housekeeping for herself, and had considerable difficulty in escaping from parental tutelage, a vast amount of mutual benefit must still result from friendly intercourse. Hence, the student of American history will readily understand why the whole efforts of the great Washington and his friends, up to the period of his retirement from public life, in 1796, were directed towards repressing the anti-British spirit which pervaded the democracy of their country, and laying the foundation of a lasting peace with Great Britain. Yet, so strong were the sympathies of the American people with France and revolution, that in 1793 it appeared as if the current of popular opinion would sweep even

Washington from its path, and that a war with Britain must speedily take place. That true patriot was accused, in this period of intemperate national folly, of being "like the traitor Arnold, a spy sold to the English." But, still unmoved, he firmly pursued the course he was satisfied would most conduce to the benefit of his country. The horrors of the French Revolution soon cooled the ardour of American democratic admiration; law-abiding citizens could have no sympathy with red-republican cut-throats. Washington's pacific policy triumphed, and he had at length the gratification to see a commercial treaty established with Great Britain.

But, although the partiality of the American Democrats for France had been successfully thwarted by the firm conservative conduct of the President, and lessened by the horrors of the guillotine, it had not by any means been wholly removed. As the war between Great Britain and France progressed during the Presidency of Mr Adams, it gradually acquired renewed strength, despite the haughty tone of the French Directory. Nor was this feeling very sensibly weakened by the hostilities which broke out between the United States and France in 1798, and which terminated in a treaty of peace with Bonaparte in 1800. The election of Jefferson to the Presidency, in 1801, completely established the ascendancy of the Democratic party in the Union, and no longer checked by the counteracting influence of Government, the jealousy and dislike of everything British began to show itself more unmistakably than ever. The republican sympathy of America was about to exhibit the anomalous spectacle of allying itself to the despotic sway of Napoleon, thus spurning the constitutional liberty of Britain, just as at the present day it palliates the tyrannical rule of a Nicholas or an Alexander.

While the fleets of Great Britain swept the seas, and completely annihilated the naval power of France and Spain, the astonishing successes of Bonaparte gave him an equal preponderance on land. Victory after victory completely crushed the power of Austria; the Prussians were irretrievably ruined at the battle of Jena; and the continent of Europe was completely at his mercy. England alone now stood in Bonaparte's way, and he determined to execute the long-cherished projects he had formed against her commerce, and thus strike at her power in the most vital part. By the celebrated

1806. Berlin and Milan decrees, all the continental ports were  
1807. closed against English manufactures, the whole British

Islands declared in a state of blockade, and the seizure authorised of all vessels bound from British harbours, as well, also,



as that of British goods, wherever such could be found. England retaliated by the no less famous "Orders in Council," which declared all the ports of France and her allies, from which the British flag was excluded, in a state of rigorous blockade, and that all trade in articles the produce or manufacture of the said countries, or colonies, should be deemed unlawful, and all such articles declared good prize. These Orders in Council were merely adopting Bonaparte's own measures against himself, and with him the responsibility solely rested. The state of things arising out of these proceedings pressed heavily upon neutrals, especially on the Americans, whose adventurous spirit had, during this long war, enabled them to engross a great part of the carrying trade of the globe. It might naturally be supposed, that the anger of their Government would be directed against Bonaparte as the first aggressor. But this course did not suit Mr Jefferson, who now saw a favourable opportunity of stirring up the national hostility against England, and thus gratifying the Democratic party, of which he was the leading exponent. He accordingly refused to ratify a treaty of amity, commerce, and navigation, concluded by the American minister at London with the British Government; and, on the 27th of October, communicated an angry message to Congress, inveighing bitterly against the British Orders in Council, but not breathing a single syllable of complaint against the Berlin decree, to which they were merely a reply. The Democratic majority responded to this message by decreeing an embargo or prohibition to American vessels to leave their ports, which caused much distress and many murmurs, especially in the New England States, whose shipping interests were as yet the most important in the Union.

Meanwhile, the right of searching for British deserters in American ships, insisted on by the English Government, and other unfavourable circumstances, continued to widen the breach between the two countries. On the 23d of June the American frigate *Chesapeake* was cruising off Virginia, and being known to have some British deserters on board was hailed by an English man-of-war, the *Leopard*, of seventy-four guns, commanded by Captain Humphries, who made a formal requisition for these men. The American captain denied he had them in his crew, and refused to admit the right of search, but was compelled to strike his colours by a broadside, when the deserters, one of whom was afterwards hung at Halifax, were taken out of his vessel. But the English Government disavowed this act, and offered to make reparation, as the right of search, when applied to vessels of war, extended only to a simple requisition, and should not be carried into effect by actual force.

The state of things which now existed between England and the United States, gave little hopes of an amicable arrangement of differences. The distress, however, caused by the embargo  
 1808. strengthened the hands of the Federalists, or peace party, who in New England, especially, acquired a decided preponderance. Massachusetts boldly protested against the edict establishing it, demanded its repeal, and it now appeared as if there was a prospect of the satisfactory adjustment of the points at issue. This prospect was still further advanced by the election of Mr Madison to the Presidency, by the repeal of the embargo law in March 1809,  
 1809. and the substitution of an act prohibiting all intercourse with France and England, but which provided, at the same time, that if either of the belligerents should repeal their hostile edicts, this act should cease to be in force with respect to that nation.

The English ministry deeming this a favourable time for negotiation, despatched Mr Erskine to the United States for that purpose. Unfortunately he exceeded his instructions. Considering the suspension of the Non-intercourse Act a fair equivalent for that of the Orders in Council, he stipulated that the latter should cease to be in force at a certain period. The English ministry refused to ratify this arrangement; so a storm of indignation was raised in the United States, the hands of the war party strengthened, and the Non-intercourse Act renewed.

During this period, it can easily be imagined what an immense injury the commerce of both countries sustained. The Orders in Council were not withdrawn, although Bonaparte offered to suspend the Berlin and Milan decrees if they were, and the matter now

1810. appeared to be reduced to a point of etiquette, as to which nation should first give in.\* During the following year, matters became more gloomy, and more portentous of war between England and the United States. The prospect grew still

1811. darker in the early part of 1811. Mr Pinkney, the American envoy at the British Court, took formal leave of the Prince Regent on the 1st of March, and a rupture now appeared inevitable. So entirely were the American people of this opinion, that the intercourse with France was openly renewed. French vessels crowded into their harbours, were in numerous cases fitted out as privateers, and did considerable mischief to British commerce. The crisis was hastened by an accidentally hostile collision, on the 16th of May, between an English sloop of war, the *Little Belt*, of eighteen guns, and the American frigate *President*, of forty-four guns, in which the

\* Alison's Hist. Europe, New York, vol. iv. p. 455.

former had thirty-two men killed and wounded. In the following January, Congress, by a vote of one hundred and nine to twenty-two, decided to increase the regular troops to twenty-<sup>1812.</sup> five thousand men, and raise an immediate loan of \$10,000,000.

By hastening hostilities, the Americans hoped to secure the capture of the British homeward-bound West India fleet, before their designs would be discovered. With this view Congress laid a general embargo on all vessels in the harbours of the United States. They thus hoped to conceal the intelligence of their warlike preparations from spreading; while, at the same time, their idle commercial marine would enable them to man their fleet more easily. In order to work the indignation of members of Congress more effectually up to the necessary point, the President laid certain documents before them, which he had purchased from a Captain Henry for \$50,000,\* out of the secret service fund. This person had resided in Canada during the greater part of Sir James H. Craig's administration, and was sent by the latter to Boston, in 1809, without the knowledge of the Home Government, to gain information of the condition of political parties in the United States.† The intelligence he supplied was of very little value, and could have been acquired just as well from the journals of the day.‡ He was recalled after a three months' absence, during which he wrote fourteen letters to General Craig's secretary. Not thinking himself sufficiently remunerated for his services, he went to England in 1811, and applied to the Foreign Office for an additional reward, stating that he would be satisfied with the post of Judge Advocate of Lower Canada, or a perpetual consulate in the United States. He was referred back to the Canadian Government; but having already got all he could expect in that quarter, he proceeded to the United States, and offered to sell his papers to Madison. The latter expecting important disclosures would be made, which would strengthen his party, and blacken the British ministry, closed with the proposal, and paid him the enormous sum already stated. Henry, however, completely outwitted him. Still, although the President obtained no information of importance, he turned what he did get to the best advantage he could; but the excitement the affair produced speedily subsided,§ and the peace party suffered no injury.

On the 19th of June, Congress passed an act declaring war against Great Britain, and directing that hostilities be immediately com-

\* Frost's United States, p. 349

† Christie, vol. ii. p. 9.

‡ Alison's Hist. Europe, New York, vol. iv. p. 456.

§ Auchinleck's Hist. of the War of 1812, p. 36.

menced. About the same time, the Orders in Council were repealed, an occurrence which was known in the United States in a few weeks. But although the ostensible cause of war was thus removed, Congress did not recede from the hostile position it had assumed. Wide as were their geographical limits, the Democracy of America desired additional territory, and would fain have gratified their hatred of Great Britain by driving her from the valley of the St Lawrence, and thus depriving her of the source whence she now derived her chief supply of timber, as well as a most important addition to her bread-stuffs. But a most influential party in the United States vigorously opposed this unholy lust for conquest. Delegates from several counties of New York protested at Albany against the war, on the ground that the same injury had been sustained from France; that hostilities with the latter would equally have satisfied national dignity, without anything like an equal risk of injury; that England had revoked her Orders in Council; and that it was repugnant to a free people to ally themselves with the Emperor Napoleon, "every action of whose life demonstrated a thirst for universal empire and the extinction of human freedom."\*

In Congress, Randolph, of Virginia, opposed the impolicy of the war, in eloquent and forcible language. "It seems," he said, "this is to be a holiday campaign—Canada is to conquer herself—she is to be subdued by the principles of fraternity. The people of that country are first to be seduced from their allegiance, and converted into traitors as a preparation to the making them good American citizens. He detested this subornation of treason. If we must have them let them fall by the valour of our arms, by fair legitimate conquest, not as the victims of treacherous seduction. By this war," he continued, "you abandon all claims for the unparalleled outrages, insults, and injuries of the French Government. By our own unwise measures, we have so increased the trade and wealth of Montreal and Quebec, that at last we begin to cast a wistful eye on Canada." "You will act absurdly," said another member of Congress, Mr Sheffey, "if you expect the people of Canada to join you. Upper Canada is chiefly inhabited by emigrants from the United States. They will not come back to you; they will not, without reason, desert the Government to which they have gone for protection. No, sir, you must conquer it by force, not by sowing the seeds of sedition and treason among the people."

Such were the sentiments of the more honourable, the more

\* See proceedings of Convention on the 17th and 18th September 1812, at Albany.

moderate, and, certainly, not the least patriotic, of the American people. The Democratic faction, in its thirst for conquest, would ally itself with the despotic Napoleon against Britain, then the last stronghold of liberty in Europe, and avail itself of the most disreputable methods to acquire Canada. Such, also, were the sentiments of most of the gallant men who had struggled for freedom with Washington—of even the very States which had been the cradle of American liberty, and whose revolutionary sacrifices had been the greatest. The men of New England had striven too ardently for freedom to ally themselves to despotism, or to visit the evils of invasion upon the unoffending people of Canada. At Boston, on the day war was declared, all the ships in the harbour displayed flags half-mast high, in token of mourning ; and a meeting of the inhabitants passed resolutions stigmatising the course of the majority in Congress as unnecessary, ruinous in its consequences, and leading to a connexion with imperial France destructive to American liberty and independence. While such were the calm sentiments of the free and native-born men of New England, the foreign population of Baltimore—the refugees of the Irish rebellion, dreaming German socialists, and French pupils of the “Reign of Terror”—violated the freedom of speech, and the rights of person and property. The editor of the Baltimore *Federal Republican* had rendered himself obnoxious to the war-party, and a mob assembled to attack his house. His friends collected to assist in its defence, and several times repulsed the assailants. At length a body of military appeared to whom the editor and his friends surrendered, upon assurance of safety, and were conducted to prison as a measure of protection. Next day the mob attacked the jail, and burst in the doors. Some of the prisoners escaped, but many were severely wounded ; and General Lingan, a man of seventy, once the personal friend of Washington, was cruelly murdered in cold blood ; while General Lee, a distinguished soldier of the revolution, and also an old gray-headed veteran, had his skull fractured.

In rushing into the war the Democracy of the United States calculated upon an easy conquest of Canada. The regular troops in both provinces amounted to barely four thousand men, to which if we add thirteen hundred fencibles and five hundred artillery, the force for the protection of a vast frontier of some thousand miles in extent was only five thousand eight hundred men. The population of Upper Canada was less than eighty thousand souls,\* while that of Lower Canada did not exceed two hundred and twenty thousand. On

\* Gourlay, vol. i. p. 612.

the other hand, the population of the United States had prodigiously increased since the revolution, and was now eight million ; while their resources were enormous, and gave them immense advantages in carrying on a war against a comparatively poor and sparsely populated country like Canada. In point of numbers the odds were almost twenty-seven to one against the latter—an enormous disproportion. The United States had also the advantage, in the commencement of the war, of being the assailing party ; and could thus penetrate at leisure any part of our long frontier they pleased, while we had to protect the whole. But, aside from all these favourable circumstances, the American Democratic party relied upon the people of Canada themselves, to aid in wresting this country from Great Britain. The trifling political troubles in Upper and also in Lower Canada led them to suppose that the inhabitants were weary of British rule, and would readily ally themselves on the first opportunity to the United States. But they were fully as much mistaken on this point, as they were in supposing they could conquer these provinces by force of arms. If the Canadians were dissatisfied with the too great power of the executive, a system of favouritism, and the arbitrary conduct of judges and other public officials, they were in no disposition to cure ills of this kind by a recourse to the greater evil of unbridled republicanism. The bulk of the people remained sincerely attached to constitutional monarchy, and a very general feeling of loyalty pervaded both provinces. This feeling was decidedly the rule ; a desire for an alliance with the United States was the exception. But comparatively few Canadians joined the American standard during the war, and throughout which none were more gallant in rolling back the tide of unprincipled invasion, than the emigrants from New England and New York who, aside from the U. E. Loyalists, had settled in the country.

Apart from the monarchical predilections of the inhabitants themselves, Canada at this period possessed another element of strength in the north-western Indian tribes, who had transferred, at length, the feeling of regard they once entertained for the French to the British, and cordially disliked the Americans, whom they termed Long-knives. To the important aid these tribes rendered in the outset of the contest, before the militia were properly organised, or reinforcements had arrived from England, may in a great measure be attributed the preservation of Western Canada. The famous confederacy of the Iroquois had been broken up after the revolutionary war, the Mohawks and part of the Onondagas and Tuscororas attaching themselves to the fortunes of the British, while the rest of the con-

federates clung to their ancient hunting-grounds, although closely hemmed in by the advancing tide of civilisation. Under their famous chief, Red Jacket, the latter gave most important aid to the Americans during the war, in which the Senecas engaged in the fall of 1813, after having issued a formal declaration of hostilities against Upper and Lower Canada.\* Nor had the Iroquois suffered much diminution in point of numbers. They were very nearly as numerous in 1812, as they were when Count De Frontenac invaded their country, one hundred and sixteen years before.† Thus we see that the United States had as little compunction in availing themselves of Indian aid as Canada; but it must be remembered that the latter used it only in self-defence, while the former employed it in a war of conquest and aggression. The hostile feeling against the Americans, so sedulously fostered by the Shawnee chief, Tecumseh, and his brother Elskwatawa, or the Prophet, prevented any part of the north-west Indians from joining their standard, and the Iroquois of New York State were, therefore, their only important allies.

#### THE GOVERNMENT OF SIR GEORGE PREVOST.

On the 14th of September, Lieutenant-General Sir George Prevost, recently the popular Governor of Nova Scotia, arrived at Quebec, and assumed charge of the administration of 1811. Lower Canada, with the supreme military command of both provinces. One of his first measures was to visit the different frontier posts on the Richelieu, and to make himself acquainted with the geographical features of a locality so likely to become soon the theatre of war.

The Lower Canadian Parliament met on the 21st of February; and although it refused to renew the "Alien Bill," or the statute "for the better preservation of his Majesty's 1812. government," it passed a very liberal militia act. £12,000 were granted for drilling the local militia; £20,000 more for incidental measures of defence; while a further sum of £30,000 was placed

\* Thatcher's Indian Biography, vol. ii. p. 287. See also Nile's Register, vol. iv.

† It is estimated that there are fourteen thousand Indians at present in Canada. They are consequently more numerous than at the period of the conquest, some ninety years ago. The Iroquois have still flourishing settlements in New York State, especially the Senecas, who have become, like the Cherokees, quite civilised. If we add the New York Iroquois to the Mohawks on the Grand River, and the people of the same race in Lower Canada, they will no doubt be found to be much more numerous now than ever. The great Indian tribes dwindle away much less slowly than has been imagined, while a few are actually on the increase.

at the Governor's disposal should war be declared between Great Britain and the United States. The returns laid before the House showed that the revenue for the year ending January 5th amounted to £75,162, the expenses of the civil list to £59,667, currency. Five hundred and thirty-two vessels had cleared during the year from the port of Quebec, of which thirty-seven had been built there. The Governor pursued a wise and conciliatory policy, and many of the parties who had been deprived of their commissions in the militia by his predecessor were now reinstated. The benefit of this course was soon apparent. On the 28th of May, a general order directed the embodiment of four regiments of militia, which were filled up by the habitants with the greatest alacrity. A regiment of Canadian Voltigeurs was also raised, the command of which was given to Major De Salaberry, a Canadian gentleman of French extraction.

On the 24th of June it became known at Quebec that Congress had declared war, so all American citizens were warned by the Government to quit the province by the 3d of July. On the 30th of June a proclamation was issued imposing an embargo on all vessels in the harbour, and convening the Legislature for the 16th July. Parliament acted with the greatest liberality. A statute to legalise the issue of army bills to the amount of £250,000 was passed, in order to replenish the public exchequer; and an annual grant of £15,000 made for five years, to pay whatever interest might accrue. On the 6th of July the whole militia of the province had been directed to hold themselves in readiness to be embodied, while the flank companies of the Montreal militia were formed into a battalion and armed.

Meanwhile, General Brock, in Upper Canada, had been busily employed in making preparations for the contest, which he saw clearly was approaching. He had some trouble with the Legislature, which he called together on the 3d of February, and which refused to pass two of his proposed measures, namely, the suspension of the Habeas Corpus and a militia supplementary act, as they did not think war would take place. No sooner, however, did they perceive their error than a very effective militia bill was passed, and £5000 granted to defray training expenses. Still, Brock had considerable difficulties to encounter. There were but few troops in the province, and not sufficient muskets to arm half the militia; while, at the same time, the Governor-General informed him no aid need be looked for from England for some months, as the idea prevailing there was, that the Orders in Council being repealed, war would not be declared by the United States.



Hostilities speedily commenced. On the surrender of Mackinaw to the Americans, a small military post for the protection of the fur-trade had been established forty-five miles to the north-east, on the Island of St Joseph, in Lake Huron. No sooner had General Brock learned, on the 26th of June, that war had been declared by the United States, than he sent orders to Captain Roberts, commandant of this post, to possess himself of Mackinaw if possible; but if first attacked he was to defend himself to the last extremity, and then retreat upon St Mary's, a station belonging to the North-West Company. By the 15th of July Roberts had prepared his little armament, consisting of forty-two regulars, three artillerymen, one hundred and sixty Canadian voyageurs, half of whom only were armed with muskets or fowling-pieces, and two hundred and fifty Indians. On the following morning he embarked, and landed on the 17th near Mackinaw, garrisoned by sixty regular soldiers under the command of Lieutenant Hancks. Roberts immediately summoned him to surrender, which was complied with after a few minutes' delay. And thus at the very outset of the war a most important post, commanding the entrance into Lake Michigan, was acquired without loss of blood. Apart from the value of the acquisition in itself, the occurrence had an excellent effect in retaining the north-west Indians in the British interest.

While these events were transpiring, General Hull, who had spent several months in organising a force for the invasion of Western Canada, crossed over the Detroit River, on the 12th July, with two thousand five hundred men to Sandwich, where he planted the American standard, and published a most inflated proclamation, calling on the inhabitants to surrender. "He did not come to ask their assistance," he said; "he had a force which would look down all opposition, and that force was but the vanguard of a much greater. The United States," he continued, "offer you peace, liberty, and security; your choice lies between these and war, slavery, and destruction." Very few, however, of the Canadians joined his standard, or accepted his offers of protection. On the 22d of the same month, Brock issued a counter-proclamation at Fort George, in which he showed the odious alliance of the Americans with the despotic Napoleon, and taught the people the responsibilities they had incurred by their oath of allegiance, and the duty they owed to their country.

Eighteen miles from Hull's camp stood the village of Amherstburg, defended by Fort Malden, now unfit to stand a siege, so imperfect were the works, and garrisoned by three hundred regular troops,

under the command of Lieutenant-Colonel St George. The surrounding country was difficult to traverse, and the River Canard, flowing a little distance behind the village, and falling into the Detroit River some three miles above it, offered a favourable position for checking the advance of an enemy. Off the mouth of the Canard lay the British sloop of war *Queen Charlotte*, eighteen guns, which effectually prevented the advance of an armament by water.

On the 17th, Hull pushed forward a detachment towards Amherstburg to reconnoitre, which was speedily driven back by the few troops and Indians St George had ambushed at the Canard. Next day the Americans, in greater numbers, attempted to force a passage, with no better success; and on the 20th they were a third time repulsed. On this occasion two hundred of their army, attempting to ford the river higher up, were put to inglorious flight by twenty-two Indians; many, in their hurry to escape, throwing away their arms and accoutrements. Hull now began to be encumbered with wounded, and the vessel in which were the hospital stores of his army having been captured, his difficulties increased. In his rear Mackinaw had fallen, while Colonel Proctor, who had been sent on by Brock with a small reinforcement, pushed a force across the river opposite Amherstburg, on the 5th of August, which routed two hundred and sixty of the enemy, captured a convoy of provisions, and effectually interrupted his communication with Ohio. Had Hull pushed forward at once after crossing the river, with resolution and skill, Amherstburg must have fallen. But the right time for action had been allowed to pass: the Indians were arriving in considerable numbers to aid the British, the militia also began to muster; and, worst of all, Brock was advancing from Toronto. On the 7th and 8th, Hull recrossed the river with the whole of his army, except a garrison of two hundred and fifty men left in a small fort he had erected at Sandwich, and established himself at Detroit. From thence he despatched a body of seven hundred men to re-open his communications with Ohio,—a duty effected with heavy loss to themselves, while the British and their Indian allies, although compelled to retreat, suffered very little. On the other hand, Lieutenant Rochelle, with the boats of the *Queen Charlotte* and *Hunter*, attacked and captured a boat-convoy of the Americans.

After a fatiguing journey by land and water, Brock arrived at Amherstburg on the night of the 13th, and met the Indians in council on the following morning. Among the chiefs present was Tecumseh, destined to appear so prominently in Canadian history. His general

appearance was prepossessing. Of average stature, his figure was light, graceful, and finely proportioned; while his hazel eye, and sharp penetrating glance, showed him to be a man of energy and decision.

In one of the recent skirmishes Hull's despatches to his Government had been captured. These breathed so desponding a tone, and painted his position in such unfavourable colours,\* that Brock determined to attack him before he received succour, a course most amply justified by the result. By the 15th a battery was constructed on the bank of the river, opposite Detroit, and three guns and two howitzers placed in position, when Brock summoned Hull to surrender. He refused to comply, when the battery opened fire. Next morning the British, numbering in all seven hundred regulars and militia and six hundred Indians, crossed the river three miles below the town. Forming his men in column, and throwing out the Indians to cover his flanks, General Brock advanced steadily towards the fort. When at the distance of a mile he halted to reconnoitre, and observing that little or no precautions for defence had been taken at the land side, resolved on an immediate assault. But Hull prevented this movement by capitulating; the garrison with troops encamped in the vicinity, amounting altogether to two thousand five hundred men, surrendering to little more than half their number. With Detroit a large quantity of military stores and provisions were given up, and the territory of Michigan also surrendered on the simple condition that life and property should be respected. The American militia were permitted to return to their homes, while the regular troops and officers, over one thousand in number,† were sent down to Quebec.

Thus disgracefully, on the part of the Americans, ended the first attempt to conquer Upper Canada. Within the short space of five weeks Mackinaw had fallen, Detroit had been captured, and the chief part of their army of invasion compelled to surrender; while their whole north-western frontier was left exposed to hostile incursions. The successes of British regular troops and militia, against a force so much their superior in numbers, had a most excellent effect in raising the spirits of the Canadian people, and securing the fidelity of the Indians. Had Hull been a man of energy and decision, matters must have been very different. Yet, in any event, with the force at his disposal, he could scarcely have established himself permanently in a hostile country difficult to traverse, and which, as at the River Canard, presented many favourable positions

\* Christie, vol. ii. p. 28.

† Auchinleck, p. 59.

to check the progress of an invading force. But, aside from every consideration, his surrender was one of the most cowardly and humiliating occurrences which had ever taken place in North America. Hull's timid and vacillating conduct appears in strange contrast with the foresight, energy, and decision of the gallant Brock. The rapid movement on Mackinaw; the expeditious advance to Amherstburg, after he had dismissed the Legislature; and the passage of the Detroit River in the face of a superior force, when he had learned the timidity of its leader, unquestionably stamp the latter as a man of superior genius, and remind one of the most fortunate days of the gallant Montcalm. The statement that Brock committed a grave military error in assuming the aggressive at Amherstburg, is simply nonsense. There was no rashness about the movement. He understood his antagonist, acted as any gallant man would, or should, have acted in the premises, and was accordingly successful. The great error would have been, in not availing himself of so favourable an opportunity to strike the important blow he did.

On the same day on which Detroit surrendered, General Brock issued a proclamation to the inhabitants of Michigan, confirming them in the full enjoyment of their properties; and stating, that the existing laws would continue in force until the pleasure of the Crown should be known. Having made such other arrangements as he deemed necessary, he returned to Toronto, where, on the 17th, he was received by the heartfelt acclamations of a grateful people. He would have followed up his successes by an immediate attempt on Fort Niagara, but was prevented by his instructions from Sir George Prevost.

The Home Government hitherto had been inclined to pursue a policy of forbearance towards America, under the supposition that the Orders in Council having been repealed, the quarrel would soon be arranged. Aggressive measures, it was thought, would only tend to exasperate the Americans, widen the breach, and hinder the establishment of peace. In pursuance of this line of policy, Prevost had proposed, in the latter part of July, an armistice to the Commander-in-Chief of the United States' army, Major-General Dearborn, in the hope that existing differences might be speedily arranged. The latter agreed to this measure, excepting, however, Hull's army; but the American Secretary of War, General Armstrong, refused to ratify the armistice, presuming it originated in a sense of weakness and danger on the part of the British General.

The recent invasion of Canada had been based on the same

principle of combined movement pursued by Amherst. Hull was to enter this country at Detroit, and Van Ransallaer at the Niagara River, while Dearborn assailed it by way of Lake Champlain and the Richelieu. In addition to the troops assembled at these points, the Americans had established military posts at various favourable positions along the frontier, whence harrassing incursions were frequently made across the border, which inflicted serious injury on the inhabitants. At Gananoque a party of one hundred and fifty, led by Captain Forsythe, landed, defeated a small body of militia, took possession of some public stores, and retired after ill-treating the defenceless people of the neighbourhood. At Ogdensburg a considerable force was stationed, under Brigadier Brown, which seriously interrupted the communication between Kingston and Montreal. Lieutenant-Colonel Lethbridge, commanding at Prescott, formed the design of capturing this position, and advanced across the river, on the 4th of October, under cover of the guns of his own fort. When about mid-channel the enemy opened a warm and well-directed fire upon the boats, which speedily compelled him to retreat, with a loss of three men killed and four wounded. On the 9th an affair of more importance occurred at Fort Erie. An armed brig, as well as another vessel laden with prisoners and furs, had arrived the preceding day, and were cut out just before dawn by a strong party of Americans. Both vessels drifted down the current of the Niagara River, and grounded near the opposite shore, where the crews after a sharp contest were made prisoners. During a fog a party of British from Fort Erie succeeded in boarding and dismantling the armed brig. A few lives were lost during these occurrences.

Owing to the infatuation of the Home Government, who still confidently looked for the establishment of peace, and had no idea that the conquest of Canada was really desired by the Americans, the 103d regiment and a weak battalion of the 1st, or Royal Scots, with a few recruits, were the only assistance despatched to Sir George Prevost up to this period. Matters had in the meantime assumed a more threatening appearance along the American frontier. Irritated rather than discouraged by the surrender of Hull, preparations by land and water were energetically pushed forward for the conquest of Upper Canada before the winter set in. General Harrison had collected a large army at the west to revenge the fall of Detroit, while Dearborn instructed Van Ransallaer to penetrate Brock's line of defence on the Niagara at Queenston, and establish himself permanently in the province. For this operation the force at his

disposal was amply sufficient, the British regulars and militia collected for the defence of this entire frontier of thirty-six miles being under two thousand men. But owing to the exertions of Brock, who saw clearly the approaching storm, these troops were in the best possible state of efficiency, and thoroughly on the alert.

During the 12th Van Ransallaer completed his preparations for attacking Queenston. The following morning was cold and stormy, but nevertheless his troops embarked in boats at an early hour, and everything made ready to push across the river with the first blush of dawn. These movements were soon discovered by the British sentries, who gave the alarm. Captain Dennis of the 49th, who commanded at Queenston, immediately collected two companies of his regiment and about one hundred of the militia at the landing-place to oppose the enemy, whom he held in check for a considerable time, aided by the fire of an eighteen-pounder in position on the heights above, and a masked gun about a mile lower down. A portion of the Americans, however, landed higher up, and ascending by an unguarded path, turned the British flank, captured the eighteen-pounder, and speedily compelled Dennis to retreat, after having sustained considerable loss, to the north end of the village. Here he was met by General Brock, who had heard the cannonade at Niagara, and pushed forward in company with his aides-de-camp, Major Glegg and Colonel M'Donnell, to ascertain its cause. Having learned how matters stood, he dismounted from his horse, and resolving to carry the heights now fully in possession of the Americans, placed himself at the head of a company of the 49th, and, waving his sword, led them to the charge in double-quick time, under a heavy fire from the enemy's riflemen. Ere long one of these singled out the General, took deliberate aim, fired, and the gallant Brock, without a word, sank down, to rise no more. The 49th now raised a shout to "revenge the General!" when regulars and militia madly rushed forward, and drove the enemy, despite their superior numbers, from the summit of the hill.

By this time the Americans had been strongly reinforced, and the British, who had never exceeded three hundred altogether, finding themselves nearly surrounded, were compelled to retire, having sustained a loss in killed, wounded, and prisoners, of about one hundred men, including several officers. They reformed in front of the one-gun battery, already stated as being a mile below Queenston, to await the arrival of assistance. Van Ransallaer had, therefore, made a solid lodgement on Canadian soil with nearly a thousand men, and after giving orders to form an intrenched camp, recrossed

the river to send over reinforcements. But the American militia, having now seen enough of hard fighting, were suddenly seized with conscientious scruples about going out of their own territory. Comparatively few crossed over to the assistance of their comrades beyond the river, who were thus left to shift for themselves. Early in the afternoon, a demonstration was made against the American position in the most gallant manner by young Brant, at the head of some fifty Mohawks. These after a sharp skirmish were compelled to retire, owing to the steady front presented by Colonel, afterwards General Scott, who had meanwhile arrived, and assumed the chief command, Wadsworth, a militia general on the field, waiving his right thereto.\*

But the British had no intention of surrendering Queenston so easily. Major General Sheaffe, an American by birth, assumed the chief command on Brock's death, and having collected all the troops at Niagara and Chippewa, moved forward in admirable order to drive the enemy from their formidable position. His force, inclusive of one hundred Indians, was under one thousand men, of whom only five hundred and sixty were regulars, with two small guns. After making a long detour to the right, to gain the open ground in rear of the heights, Sheaffe began the attack by an advance of his left, which, after delivering a volley, charged with the bayonet, and drove in Scott's right. He then advanced his main body, and after a sharp conflict, a part of the enemy were driven back over the first ridge of heights to the road leading to the Falls, while another portion let themselves down with the aid of the roots and bushes towards the river, hotly pursued by the Indians, who were with difficulty withdrawn.

Resistance was now out of the question, and the Americans, to the amount of nine hundred and fifty regulars and militia, surrendered. So completely had they been scattered, that hardly three hundred men remained with Scott when he gave himself up. Their loss in killed and wounded was also severe, but has never been correctly ascertained: it could scarcely, however, be under three hundred men.

Thus ended in total discomfiture the second attempt of the Americans to establish themselves permanently in Upper Canada. The British loss, in a numerical point of view, was comparatively small, and did not in killed and wounded amount to one hundred men; but the death of the gallant Brock dimmed the lustre of victory, and cast a gloom over the country. Descended from a respectable family in Guernsey, he had embraced the profession of

\* Stone's *Life of Brant*, vol. ii. p. 508.

arms at an early age, and served with distinction in some of the principal campaigns in Europe ; among the rest at Copenhagen with Lord Nelson. As a civil governor he was firm, prudent, and just ; as a soldier, brave, skilful, and humane, and the idol of his troops ; while the Indians regarded him as their *beau ideal* of a gallant warrior. He fell at the early age of forty-two, just as his harvest-time of honour and distinction had begun, and his country had learned to regard his opening career with pride. He was respected by all classes—by friend and foe alike, and minute guns from the American as well as from the British batteries bore honourable testimony to his great personal worth, as he was buried at Fort George, on the 16th of October, side by side with Colonel M'Donnell, in a grave watered with the tears of brave soldiers and sorrowing citizens. Brock's name has not been forgotten ; the people of Canada West still cherish his memory ; and while the current of the Niagara speeds past the scene of his death, he will occupy an honourable place in the pages of its history.

On the day after the battle of Queenston, Van Ransallaer requested an armistice of three days, to enable him to take care of his wounded and bury his dead, which was granted by Sheaffe, on condition of destroying his boats, which was immediately complied with. On the 15th Wadsworth and all the principal officers were paroled, with the exception of Scott, who refused to be liberated, and was sent down to Montreal with the other prisoners of the regular army. The militia were all permitted to return to their homes, on condition of not serving during the war. Among the prisoners were twenty-three men who admitted themselves to have been British-born subjects, and were sent to England to be tried as traitors. The Americans subsequently retaliated, by threatening to hang an equal number of their prisoners, if any ill befell these men. They were ultimately released, so that the matter terminated. Scott had angry words about them with the British General at Niagara, and refused to be paroled on that account.\*

On the 16th Van Ransallaer, disgusted, as he said, with the conduct of the militia, requested permission from Dearborn to resign his command. The latter assented, and directed Brigadier-General Smyth to assume control of the army on the Niagara frontier. This officer immediately applied for an armistice of thirty days, which Sheaffe agreed to, though on what ground does not appear. Probably he anticipated the arrival of reinforcements, and considered

\* He was subsequently paroled by Sir George Prevost, and most dishonourably broke it. Several other American officers did the same.



that any course which retarded hostilities against his command would be beneficial to Canadian interests, slenderly guarded as the frontier was. But the advantage was altogether on the enemy's side, who was thus allowed breathing space to recruit after his defeat, and to make preparations undisturbed for fresh operations. Hostilities, however, still continued in other directions. A body of Americans, four hundred strong, led by Major Young, surprised the picket at St Regis, composed of Canadian voyageurs, killed their officer and seven men, and carried off twenty-three prisoners. A counter-attack by the British was soon after made in the same neighbourhood, when three officers and forty-one privates of the Americans were made prisoners.

The month of November had now set in, bleak, cold, and cheerless, yet the Americans persisted in their schemes of conquest. Dearborn, at the head of an army of ten thousand men, hung upon the confines of Lower Canada; Smyth, with five thousand men, occupied the Niagara frontier; while Harrison, the bravest and most formidable of them all, with his Kentucky forest-rangers and Ohio sharp-shooters, threatened the weak British force under Proctor, in the distant west. At the same time, Commodore Chauncey had by enormous exertions equipped a fleet on Lake Ontario, which now forced the Canadian shipping to remain under the guns of the forts at Kingston, Toronto, and Niagara. Chauncey was generous as he was brave. In his first cruise he captured two schooners. On board of one of these he found the plate of General Brock, which he restored to his brother, a captain of the 49th, who had it in charge, in testimony of the high respect in which he held the deceased officer.

Dearborn had established his head-quarters at Plattsburg, and despatched from thence a strong body of infantry and a troop of dragoons to make a reconnaissance towards the British advanced posts in the neighbourhood of Rouse's Point. On the morning of the 20th, before day, these troops surrounded a guard-hut in which were a few Canadians and Indians, who returned their fire, and safely escaped in the confusion. The Americans fired upon each other in the dark, and killed and wounded several of themselves. On discovering their mistake they retired. Dreading an invasion in force, General Prevost now directed the whole militia of the province to hold themselves prepared for active service. The greatest enthusiasm was manifested, and the militia of the district of Montreal moved *en masse* on the point of threatened invasion, to repel the enemies of their country. Dearborn now saw the fruitlessness of

attempting a descent on Montreal, and began to withdraw his sickly and enfeebled troops from the frontier, to place them in winter quarters. All prospects of invasion being thus terminated from the direction of Lake Champlain, the British General ordered the troops and militia to return.

While these events were transpiring in Lower Canada, the armistice between Smyth and Sheaffe, as regarded their respective commands, had drawn to a close. Every preparation had meanwhile been made for another descent upon Canada, which, this time, was to be effected between Chippewa and Fort Erie. For the defence of this frontier, fully twenty-one miles in extent, there were less than seven hundred regulars and militia, while the American "army of the centre," as it was magniloquently styled, was at least five thousand men. After a gasconading proclamation in the Napoleonic style, which would lead one to doubt Smyth's common sense, a division of fourteen scows, with about four hundred men on board, crossed the river at the upper end of Grand Isle, before day, on the morning of the 28th. They succeeded in carrying a four-gun battery, defended by sixty-five men of the 49th regiment and three officers. Thirty of these were made prisoners, including Lieutenants King and Lamont; the remainder under Lieutenant Bartley made a stout defence, but were ultimately compelled to retire. The bulk of the American force then returned across the river, leaving a few officers and forty men behind, who were all made prisoners, after a feeble resistance, by a detachment from Fort Erie. At 7 A.M., eighteen scows advanced across the river to effect a landing. A few rounds from a six-pounder sunk two of these, and, with the aid of a steady fire of musketry, threw the remainder into confusion, and compelled the enemy to retire.

Smyth's failure and disgrace was complete. His inflated proclamations had raised the expectations of the American people to the highest point, and his want of success depressed their spirits in proportion. To see their "army of the centre" held effectually at bay by a force scarcely one-sixth of its number, was a source of bitter indignation to the Democracy of the United States. Smyth was appropriately nicknamed General Van Bladder. His own soldiers despised him, and he had finally to flee from the camp to escape their indignation. He was universally denounced as a traitor and coward, was hooted and shot at in the streets of Buffalo, and the tavern-keepers shut their doors in his face. Government meanly sharing the feeling of the populace, cashiered him without trial, and was sustained in this arbitrary act by the Senate of the

United States. Yet Smyth was an officer of the regular American army, which is cursed by the same seniority system prevailing in the British service. Men, however, are advanced continually from the ranks to the grade of commissioned officers in the latter, while in the United States army no private can rise, as a rule, above the position of a sergeant. The American military service is the most aristocratic of any in the world ; all its officers must be favourites of the executive, and graduates of West Point. Money buys commissions in the English army, politics in the American ! The last system is certainly the worst of the two.

The campaign of 1812 against Canada terminated, as we have seen, in most humiliating defeat and disgrace. Large armies had been repelled by a few regular troops, aided by the Canadian militia, whose patriotism and unflinching courage did them the greatest honour. These results strengthened, in no small degree, the influence of the peace party in the United States. It was now clearly seen that the Canadians, as a people, were sincerely attached to their union with Great Britain ; and that the war, as it progressed, had assumed more and more the character of an unprincipled invasion of an unoffending people. Shortly after Smyth's defeat, the Legislature of Maryland declared, by a series of resolutions, that the war was incompatible with republican principles, opposed to their interests, impolitic ; and that Massachusetts, Connecticut, and Rhode Island had acted constitutionally in refusing their quota of militia. In Congress, on the 2d of January, Mr Quincey denounced the hostile course pursued by its majority. 1813. "We seized the first opportunity," said he, "to carry the war among the harmless colonists. It was not owing to our Government that the bones of the Canadians were not mixed with the ashes of their habitations. Since the invasion of the buccaneers, there was nothing in history more disgraceful than this war."

Such were the sentiments which actuated at this period the right-minded portion of the people of the United States. But unfortunately for the cause of freedom, justice, and humanity, the Democratic faction retained a small majority in Congress, and resolved to inflict still further the evils of war on the hapless Canadians, whom it was their interest to have regarded as friends and neighbours.

## CHAPTER XIV.

THE GOVERNMENT OF SIR GEORGE PREVOST,—*continued.*

THE CAMPAIGN OF 1813.

THE Legislature of Lower Canada assembled on the 29th of December, and at an early period of the session took measures to provide for the increased expenditure entailed by the war.

The Army Bill Act was renewed and extended; and in 1812. agreement with its provisions, £500,000 were authorised 1813. to be put into circulation. £15,000 were granted to equip the embodied militia, £1000 to provide hospitals for their use, and £25,000 for general purposes of defence. In addition to these sums, two and a half per cent. on all merchandise imported into the province, except provisions, were also granted to the Government for the support of the war, as well as the same per centage, extra, on goods brought in by persons not resident for six months in the country.

In Upper Canada the Legislature was convened by General Sheaffe on the 25th of February, and passed several necessary measures. Among these was one to facilitate the circulation in the province of the army bills issued in Lower Canada, and making them a legal tender in all public offices. Another act authorised the Government to prohibit the exportation of grain, and restrain distillation therefrom, owing to an apprehended scarcity of food. Pensions were granted to widows and orphans of militiamen killed in the war; the sale of liquor to the Indians was prohibited for a specific period; and several other useful bills passed.

Meanwhile, the campaign had opened favourably for Canada in the west. There General Harrison still hovered on the borders of Michigan, prepared to strike a blow for its recovery on the first opportunity. Colonel Proctor, who still commanded at Detroit, had established several outposts in that neighbourhood, one of which at Frenchtown, about twenty-six miles distant on the River Raisin,

was composed of thirty of the Essex militia, under Major Reynolds, and two hundred Indians. Winchester, who commanded a brigade of Harrison's army, detached Colonel Lewis with a strong body of troops, on the 17th of January, to drive the British and their allies from this post. This purpose was effected after a sharp action, in which the Americans had twelve killed and fifty wounded, when Reynolds fell back upon Brownstown, sixteen miles in his rear. Lewis maintained his position at Frenchtown undisturbed, and was there joined by Winchester with the remainder of his brigade, which numbered altogether nearly one thousand regular troops.

Proctor's position was daily becoming more critical, and he now resolved to attack Winchester before Harrison, who was three or four days' march behind, came up, and beat the enemy in detail. Collecting his disposable force, consisting of five hundred regulars, seamen, and militia, and six hundred Indians, at Brownstown on the 21st, he pushed forward to Swan Creek, a short distance from Frenchtown, where he bivouacked for the night. Next morning before day he made preparations for attacking the enemy, whom he assailed at the first light of dawn by rapidly driving in his pickets on the main body, when the action became general. Winchester's left flank was speedily turned by the Indians, his line of battle broken, and he found himself so hardly pressed that he was compelled to retreat. He was soon afterwards captured by the Wyandot chief, Roundhead, who brought him to Proctor.\* About four hundred of his men had in the meantime thrown themselves into the houses of the village, where they continued to make a desperate defence till it was threatened to burn them out, when they surrendered.†

In this action the enemy lost about two hundred and fifty men in killed, including several officers; one brigadier-general, (Winchester,) three field-officers, nine captains, twenty subalterns, and over five hundred privates were made prisoners. The loss of the British was also severe, it being twenty-four killed, and one hundred and fifty-eight wounded.‡

The prompt and spirited conduct of Proctor completely checked, for the time, any forward movement on the part of Harrison, who

\* Proctor's Despatch to Sheaffe, 26th January 1813.

† Winchester to the American Secretary of War, January 1813. Harrison to Governor Shelby, 24th January 1813.

‡ Christie, vol. ii. p. 70. The greater part of the American wounded were massacred by the Indians in revenge for their own loss.

even considered it prudent to retire farther back till he received reinforcements. Nor did the gallant conduct of Proctor go unrewarded. The Legislature of Lower Canada, then in session, tendered him a unanimous vote of thanks for his skill and intrepidity, while General Prevost raised him to the rank of Brigadier-General, a measure afterwards confirmed by the Prince Regent.

During winter the St Lawrence above the rapids is usually so firmly frozen over, that the heaviest burdens may cross in safety. The officer commanding the Americans at Ogdensburg availed himself of this circumstance to despatch marauding parties into Canada, who treated the peaceable inhabitants with cruelty on several occasions. One of these forays, made by two companies of riflemen commanded by Captain Forsythe, on the night of the 6th February, was directed against the village of Brockville, twelve miles up the river. After wounding a sentry, and firing into several houses, the enemy carried off fifty-two of the inhabitants as prisoners, the greater part of whom, however, they released in a few days.

General Prevost, now on a tour through Upper Canada, arrived at Prescott on the 21st, and directed Major M'Donnell to make a demonstration against Ogdensburg on the following morning, with the view of drawing out the garrison to ascertain its strength. If he found the opportunity favourable, however, he was allowed the discretionary power of converting the feigned into a real attack, to punish the enemy for their wanton inroads on the frontier.\* In pursuance of these instructions Major M'Donnell, after dividing his force, composed of four hundred and eighty regulars and militia, into two columns, pushed across the ice on the following morning at daybreak. Believing the opportunity favourable, he now determined to assail the American position at once. This he gallantly accomplished under a heavy cross fire from their batteries, which he captured with the bayonet, although the deep snow retarded his advance, and caused greater loss than would have otherwise been sustained. The enemy fled across the Oswegatchie River, or retired into houses, whence they kept up a galling fire till M'Donnell brought up his field-pieces, which speedily dislodged them.

While these successes were achieved by the main column, the other, composed of one hundred and fifty men, and led by Captain Jenkins, moved towards Fort La Presentation, and soon found themselves under a battery of seven guns, which they gallantly endeavoured to carry. Captain Jenkins, while leading the charge,

\* Major M'Donnell's Despatch to General Prevost, 23d February 1813.

had his left arm broken to pieces by a grape-shot. Still he continued to advance with his men, till his right arm was also rendered useless by a case-shot, when exhausted by pain and loss of blood he was unable to move. At this crisis the main body of the British advanced to the aid of their hard-pressed comrades, when the battery was carried, and in a few minutes afterwards the old French fort shared the same fate at the hands of a company of the Glengarry militia and another of regulars, both led by Captain Eustace.\* Thus, in less than an hour, the entire position of the enemy, defended by five hundred men, was captured in the most gallant manner.

In this action the British had seven men killed, and seven officers and forty-one men wounded: the American loss, on the other hand, was twenty killed, a proportionate number wounded, and some prisoners. The greater part of the Americans ran away, however, so nimbly, that they could not be overtaken.† Four brass field-guns, seven guns of iron, several hundred stand of arms, and a considerable quantity of stores fell into the hands of the victors; as well as two small schooners and two gunboats, which were burned. This important success had the effect of preventing any forays upon the frontier from Cornwall to Gananoque during the remainder of the winter.

As yet no assistance of importance had been received from the mother-country, and the defence of Canada rested chiefly on the militia; who, on every occasion, had acted with all the gallantry of the best regular troops. On the part of the local authorities every exertion continued to be made, with unabated courage, to place the country in the best state of defence. The three Canadian regiments (the Glengarries, Fencibles, and Voltigeurs) recruited with diligence and success, and in the month of March most acceptable assistance arrived in the 104th regiment of the line, which had made a rapid and most extraordinary journey from New Brunswick through the wilderness.

On the side of the Americans the most strenuous exertions were made to ensure the conquest of Canada in the ensuing campaign. Their plan of operations was again based on the same system of combined movement, which had succeeded so badly with them the preceding year. Harrison was to recover Michigan, and threaten Canada at its western extremity; while Commodore Chauncey, aided by a strong land force under General Pike, was to capture

\* Major M'Donnell to General Prevost, 23d February 1813.

† Christie, vol. ii. p. 71.

Toronto, and invest Fort George at Niagara. Here Pike's force was to form a junction with another army, then cross the river from Buffalo and carry the British posts at Erie and Chippewa. Western Canada completely subdued, the combined American armies were to descend to Kingston, in the reduction of which they would be aided by a third force under General Dearborn in person. This important position captured, Montreal and Quebec were to be next assailed, and the Union Jack for ever driven from the beautiful valley of the St Lawrence.

Agreeable to this plan of operations Chauncey sailed from Sackett's Harbour, on the 25th of April, with fourteen armed vessels having sixteen hundred troops on board, and on the evening of the following day appeared off Toronto, then garrisoned by a force of only six hundred regulars and militia. On the ensuing day the enemy commenced to disembark about three miles to the west of the town, a movement accomplished with some difficulty owing to the steady resistance of the Canadians and regular troops. These, however, after displaying great gallantry and suffering severe loss, were compelled to retire on the town. General Dearborn, who remained on board one of the vessels of the fleet, had intrusted the command of his troops to Brigadier Pike. The latter now formed his men on the beach, in order to take the British position in flank, while the fleet, which had worked up into the harbour, should assail it in front.

It appears, from all that can be gathered on the subject, that the defences of Toronto at this period were in a most wretched condition, owing to the culpable negligence of Sheaffe. Chauncey's fire from the shipping completely overpowered the batteries on shore, and enabled Pike to carry the first line of defences with little difficulty. When at the distance of two hundred yards from the principal western battery its fire suddenly ceased, and the Americans at once halted, being under the idea that the British were about to surrender. The next moment the head of their column was literally blown into the air, owing to an artillery sergeant, of the name of Marshall, firing the powder magazine to prevent its falling into their hands. Had they advanced a little nearer the greater part of the enemy must have been destroyed; as it was they had two hundred killed and wounded. Among the latter was General Pike, who died in a few hours. Several British soldiers were also killed by the explosion, which shook the town and surrounding waters as though it had been an earthquake. American writers censure Sheaffe for blowing up the magazine, and denounce it as a piece of unparalleled barbarity; but acts of this kind are perfectly legitimate in warfare, and of frequent occurrence.



The Americans were there solely for the purposes of conquest and aggrandisement ; and their invasion was accordingly of that odious stamp, as to make it only a subject of regret that the whole column was not blown up. In any case Sheaffe had nothing to do with it, and with Marshall solely rested the responsibility.\*

It now became evident that the few British troops and militia would not be able to resist an enemy so vastly their superior in numbers and artillery. The garrison was accordingly withdrawn towards the town, the powder magazine blown up, and a ship on the stocks as well as the naval stores destroyed. These operations completed, General Sheaffe retired towards Kingston with his few regular troops, leaving Lieutenant-Colonel Chewett of the militia to treat with the enemy, who now gained possession of the town after an obstinate contest with a force scarcely one-third his number, not taking his navy into consideration, of seven hours' duration. Sheaffe, however, suffered much in the public estimation, on account of his failure in defending Toronto, and was shortly afterwards superseded in the chief command of Upper Canada by Major-General De Rottenberg. On his return to the Lower Province, he was appointed to command the troops in the district of Montreal.†

The British loss in the action was severe, one hundred and thirty having been killed and wounded ; that of the Americans was much more serious, and swelled up to nearly three hundred and fifty. The militia, to the number of two hundred and ninety-three, surrendered as prisoners of war. The regular troops, as we have already seen, effected an orderly retreat, and it is a matter of surprise that Sheaffe did not also take the militia with him, in which case the Americans would have had no prisoners to boast of. As it was, they got possession of the militia muster rolls, and endeavoured to swell up the list of captives by including all the men enumerated, but the greater part of whom were absent.

Having succeeded in his attack on Toronto, and destroyed such public stores as he could not carry off, the enemy re-embarked on the 2d of May and sailed for Niagara, the capture of Fort George being the next part of his plan. Having landed the troops in a favourable position in the neighbourhood, Chauncey returned to Sackett's Harbour for reinforcements. These were speedily brought up, and by the 25th his fleet, with the exception of two vessels left cruising near Kingston, were again assembled off Niagara. For the defence of Fort George, now so seriously menaced by a large fleet

\* Auchinleck's War of 1812, p. 152.

† Sheaffe's Despatch to General Prevost, Kingston, 5th May 1813.

and army, General Vincent, commanding on the Niagara frontier, had scarcely fourteen hundred men. But what was still worse, the works of Fort George were not by any means strong; the guns were of smaller calibre than they should be, and the supply of powder wholly insufficient, owing to the enemy having complete command of the lake, and the great difficulty of transporting stores by land.

On the 26th, Fort Niagara, on the American bank of the river, opened a heavy cannonade, by which Fort George was considerably injured. Next morning this cannonade was resumed, and being supported by several vessels of the fleet, the heavy cross fire soon rendered the fort untenable. Chauncey posted the remainder of his vessels in advantageous positions, to cover the landing of the American troops, and swept the beach with a shower of shot and shell. Still, the British gallantly held their ground, and repulsed three attempts of the enemy to land. But Vincent, after a severe struggle of three hours' duration, finding it useless longer to oppose a force ten times his own in point of numbers, and supported by a powerful fleet, directed the guns to be spiked, the magazine blown up, and retreated in excellent order towards Queenston, leaving the Americans to take possession of the ruins of Fort George and a few damaged houses.\* On the following day, having withdrawn the garrison from Fort Erie and all the posts downwards, Vincent, whose force was thus increased to sixteen hundred men, continued his retreat to Forty Mile Creek, on the road to Hamilton. The British loss during the recent action was fifty-two killed and three hundred wounded and taken prisoners. The loss of the enemy was thirty-nine killed and one hundred and eleven wounded.†

Meanwhile, Harrison, notwithstanding the annihilation of Winchester's Brigade, still persevered in his determination to drive the British across the Detroit River and recover Michigan. With this view he established himself, in the first days of spring, at the foot of the rapids of the Miami, where he constructed a block-house and other works to form a safe depot for his stores, as well as a base for offensive operations when his reinforcements came up. Proctor's plan was to beat the enemy in detail, and he now resolved to attack Harrison while his force was yet comparatively weak. Collecting five hundred and twenty regulars, four hundred and sixty militia, and fifteen hundred Indians, with a few pieces of artillery, he accordingly proceeded on the 23d of April to assail the enemy. As

\* Vincent's Despatch to General Prevost, 28th May 1813. Alison's Hist. Europe, New York, vol. iv. p. 465.

† Christie, vol. ii. pp. 75, 76.

usual, at this season of the year, the roads were very heavy, and presented a serious obstacle to the passage of cannon. By the 1st of May, however, Fort Meigs was invested and a heavy fire opened on the works, which sustained very little damage, owing to the small calibre of the besiegers' guns. On the morning of the 5th, two American regiments, twelve hundred strong, under Brigadier Clay, having come up, the besieged made a vigorous sally, carried the British batteries, and pursued the Indians who fell back steadily though rapidly. Proctor's main body being speedily under arms, he succeeded in cutting off the retreat of his assailants by a rapid and judicious movement, and after a sharp action a great part of the enemy were either killed or captured. Upwards of five hundred prisoners were taken on this occasion, several of whom were afterwards massacred by the Indians, who were restrained from further excesses only with the greatest difficulty, and the personal influence of Tecumseh. Several of the British soldiers on guard over the prisoners were wounded in endeavouring to shield them from the fury of the savages; and one old veteran was shot through the heart.

Proctor's victory was most complete. The enemy had lost over seven hundred men in killed, wounded, and prisoners; while the casualties of the British were only fifteen killed and forty-five wounded.\* But, half his militia left soon after the battle, being unwilling to undergo the fatigues of a siege, and a deputation of chiefs waited upon him to counsel him to return, as their people (as usual after an engagement of consequence) desired to go home, to take care of their wounded, and dispose of their plunder, of which they had taken a large quantity. Thus Proctor had no alternative save to raise the siege and retire, which he did undisturbed, carrying off his guns and stores.† Still, the offensive operations of Harrison were completely paralysed for the time; and he had to get fresh reinforcements before he could resume the initiative in the campaign.

This victory raised in some measure the spirits of the Canadians, considerably depressed by the capture of Toronto and Fort George, the possession of the Niagara frontier by Dearborn's large army, and the complete command of Lake Ontario obtained by Chauncey's fleet. Matters, however, soon began to assume a better appearance in Central Canada. Sir James Yeo, a naval officer of distinction, arrived at Quebec on the 5th of May, with several officers of the royal navy and four hundred and fifty seamen for the lakes.

\* Alison's Hist. Europe, New York, vol. iv. p. 465.

† Proctor's Despatches to Governor Prevost, 14th May 1813. Christie, vol. ii. pp. 81, 82. Auchinleck's Hist. of the War of 1812, pp. 142-144.

Captains Barclay, Pring, and Finnis had already come up overland from Halifax, and were busily engaged at Kingston in putting the fleet into a state of preparation to meet the enemy. The Governor-General accompanied Yeo to Kingston, and the public began to look forward to important offensive operations. Nor were they disappointed. The enemy's fleet was still at the head of the lake, and it was now determined to make a dash at Sackett's Harbour, the great depot of the American naval and military stores.

On the 27th of May, the British fleet, consisting of seven armed vessels, mounting altogether one hundred guns, left Kingston with nearly one thousand troops on board led by Sir George Prevost in person, for Sackett's Harbour, where it arrived at noon next day. The troops were immediately placed in flat-bottomed boats, or scows, preparatory to advancing against the enemy, while Prevost proceeded two miles nearer in-shore to reconnoitre. Deeming the works too strong to be captured by his force, he ordered the troops to re-embark, and this being effected the ships wore round and stood for Kingston with a light wind. About forty Indians had accompanied the fleet in their canoes; who, not understanding why the troops were prevented from landing, determined to effect something on their own responsibility. They accordingly rowed towards the land, and their appearance so terrified some seventy dismounted dragoons, that they hoisted a white flag as a signal to the British shipping for protection, and were promptly taken on board.\*

Prevost now finding that the Americans were not so formidable after all changed his mind, and determined to attack them on the following day. This indecision and delay were fatal to the objects of the expedition. Had the troops pushed boldly on shore at once, Sackett's Harbour must have been captured, and the immense stores collected there destroyed, which would have effectually crippled the enemy's operations on Lake Ontario. But, during the night the militia collected from all quarters, and a sharp action ensued as the British effected a landing. Led by Adjutant-General Baynes, the latter soon dislodged the Americans with the bayonet, pursued them to their fort and block-houses, and set fire to their barracks. Their militia now scattered in all directions, leaving about four hundred regular troops, under General Brown, to make the best defence they could.† This officer, believing the post untenable, ordered the naval store-houses, hospital, and marine barracks to be

\* Auchinleck's *Hist. of the War of 1812*, p. 162.

† Alison's *Hist. Europe*, New York, vol. iv. p. 465. Frost's *United States*, p. 364.

set on fire, and prepared to surrender. Unfortunately, at this crisis the fleet had not yet come up; there were, therefore, no guns to batter the block-houses, and Prevost, deeming the dust raised by the runaway militia to be caused by a column advancing to aid the enemy, directed a retreat. This was immediately effected, to the great regret and mortification of the British troops, while not an American soldier dared to show himself. Still, the enemy suffered severe loss; and all the plunder taken at Toronto was consumed in the burned buildings. A frigate on the stocks had also been set fire to; but on discovering the retreat of their assailants, the Americans returned and extinguished the flames.\*

In this action the British lost one officer and forty-seven men killed, and twelve officers and nearly two hundred men wounded and missing; the loss of the enemy was also heavy. But, severely as they suffered, our troops had won a complete victory, and little further loss, if indeed any, would have been entailed in capturing the entire position, and destroying all the enemy's stores.† The public were severely disappointed, and Prevost's military reputation suffered a shock from which it never recovered.‡

The capture of Toronto and Fort George, and the retreat of General Vincent towards the head of Lake Ontario, had enabled Dearborn to establish himself in a solid manner on the Niagara frontier. But these successes effected little, after all, towards the complete subjugation of Western Canada. Vincent, with a small yet highly efficient force, occupied a good position on Burlington Heights, and was a formidable foe, although almost destitute of resources, and with only ninety rounds of ammunition per man. Had Dearborn despatched a force in vigorous pursuit of Vincent on his retreat from Fort George, he might have seriously embarrassed and perhaps defeated him. But his efforts in this respect were languid in the extreme, and the month of June had already set in before he endeavoured to retrieve his error. He now despatched two brigades of infantry, three thousand strong, and two hundred and fifty cavalry, with nine field-pieces, to dislodge the British from their position.

On the 5th of June Vincent first received intelligence of the approach of this formidable force, by the retreat of his advanced pickets from Stoney Creek, where the Americans formed their camp for the night. The condition of the British General was now ex-

\* Christie, vol. ii. pp. 79, 80.

† Baynes's Report to General Prevost.

‡ Christie, vol. ii. p. 81.

trremely critical. In his rear Toronto had fallen, the lake on his left flank presented no prospect of succour, and an enemy twice his strength, with a formidable train of artillery, threatened him in front. Unfortunately as he was situated he saw that he must hazard a battle. While still undecided what course to pursue, he despatched Lieutenant-Colonel Harvey to reconnoitre the enemy's position. This officer soon ascertained that the American pickets were few and negligent, and their line of encampment long and broken. He accordingly proposed a night-attack to Vincent, who at once gave his consent, hoping to accomplish by surprise, what his small force and want of ammunition must hinder him from effecting in the open field.

Towards midnight the British force, consisting of the 49th regiment and a part of the 8th, and mustering altogether only seven hundred and four bayonets, moved silently forward to attack the American camp, distant about six miles. Arrived in its neighbourhood Vincent intrusted the command of the assault to Harvey, who speedily succeeded in surprising and capturing the enemy's outlying pickets, without alarming his main body. This duty performed, the little band pushed swiftly yet regularly down upon the centre of the hostile camp, where in a few minutes all was confusion and dismay. The Americans were driven from their tents and scattered in all directions by the charges of the British, who fearing, however, to expose their small numbers to view retired ere the day dawned, with Brigadiers Chandler and Winder, one hundred and twenty other prisoners, and four captured guns.

The British did not, however, achieve this brilliant success without loss. One officer and twenty-two men were killed, and twelve officers and one hundred and eighty men wounded and missing. But the loss of the enemy was also severe, aside from the injurious effects a night attack, so well executed, had on the spirits of his men. This was soon evinced by the rapid retreat he made the same morning to Forty Mile Creek, ten miles from the scene of action, where he halted on meeting General Lewis advancing to his assistance with a strong detachment.

Meantime, Commodore Yeo had exerted himself so effectually, that the British fleet on Lake Ontario became stronger than the American, and Chauncey had retired to Sackett's Harbour. This gratifying event enabled a communication to be at once established with Vincent's little army. On the 3d of June Yeo sailed with his squadron for the head of the lake, having two hundred and eighty men of the 8th regiment on board, with some much-needed clothing and provisions. At daylight on the 8th the fleet was off Forty Mile

Creek, when the Commodore summoned Lewis to surrender. This he refused to do, but shortly after hurriedly retreated to Fort George, leaving his tents standing, and his provisions and wounded behind ; all of which were soon taken possession of by the advanced guard of Vincent's force. Twelve large boats, carrying baggage, were also captured by one of the vessels of the fleet.

The tide of fortune had now completely turned against Dearborn, who was soon cooped up in Fort George and its vicinity. Sickness, battle, and desertion had wasted away the large force he had brought into Canada to less than five thousand men. His own health, also, became more and more feeble. Still, it was strange to see his army hemmed in and intimidated by a force scarcely one-third its number. Nor was this owing to the physical inferiority of the men who composed it. Nearly all the defeats of the American army may be traced to its want of discipline, and the incapacity of its leaders.

But Dearborn's reverses had not yet terminated. On the 28th of June he despatched Colonel Boerstler with a detachment of nearly six hundred men, including fifty cavalry and two field-guns, to dislodge a British picket posted at a stone house at Beaver Dam, a place between Queenston and the village of Thorold on the Welland Canal. By some means, Mrs Secord, of Chippewa, whose husband had been wounded at the battle of Queenston, and her house plundered and destroyed by the Americans, learned the object of this movement, and walked nineteen miles by a circuitous route, to avoid the American posts, to Beaver Dam, to apprise the officer commanding there of the danger which threatened him. Thus warned, Lieutenant Fitzgibbon lost no time in communicating with Captain Ker, who was at the head of two hundred Indians in the neighbourhood, and also with Major De Haren, commanding a body of troops to the rear. Boerstler's march was soon checked by the Indians, aided by thirty-four men of the 104th, who lined the woods along the road. After a smart skirmish of two hours' duration, the Americans began to retreat, but were attacked in another direction by twenty militia, who were accidentally passing. At this crisis Lieutenant Fitzgibbon summoned Boerstler to surrender, and to his great astonishment the latter consented. The lieutenant was quite at a loss to know what to do with his prisoners, who were double the number of the British and Indians ; but luckily Major De Haren came up in time to take charge of them. This affair entirely ruined Dearborn's military reputation, and he was soon after superseded in his command by Major-General Wilkinson.

Its want of success on this occasion still further dispirited the American army, and enabled Vincent to establish his outposts closer to its position. By the 1st of July the British pickets occupied a line extending from Twelve Mile Creek to Queenston, thus restricting the enemy to the small angle formed by the river and lake, at the apex of which stood Fort George. The American army by sickness and casualties had been reduced to four thousand men of all arms, who were now so completely dispirited as to permit themselves to be held in close blockade by a force barely half their number.

The favourable condition of the British army on the Niagara frontier soon enabled it to resume offensive operations. From Chippewa a descent was made at daybreak, 4th of July, on Fort Schlosser, at the opposite side of the river, under the direction of Colonel Clark of the militia, which resulted in the capture of the American guard, a large quantity of provisions, one brass six-pounder, a gun-boat, fifty stand of arms, and some stores. Seven days afterwards Colonel Bishopp crossed over to Black Rock, three miles below Buffalo, with two hundred and forty regulars and militia, took the enemy completely by surprise, and destroyed his barracks, dockyard, a vessel lying there, and captured a considerable quantity of stores, seven guns, and two hundred stand of arms. The alarm, however, rapidly spread, and General Porter at once drew together a strong body of American regulars, militia, and Seneca Indians, from whose fire the British suffered severely in their retreat. The gallant Bishopp was mortally wounded, thirteen men killed, and a considerable number severely injured.

These surprises, alike rapidly and skilfully executed, alarmed the Americans, and kept them so sharply on the alert, that nothing else was accomplished against their positions, on the Niagara frontier, during the remainder of July. For the greater part of August, also, the two armies remained inactive within a short distance of each other. Towards the latter part of the month Sir George Prevost arrived from Kingston, and, on the 24th, made a demonstration against the enemy at Fort George, in order to draw him out and ascertain his strength. But the Americans kept under cover of their intrenchments, and it was not deemed advisable to attack them there, their number being yet superior by two to one to Vincent's army. Still, the Canadians had become so accustomed to see brilliant victories won against large odds, that they felt extremely dissatisfied something was not done by Prevost on this occasion. His popularity as a civil governor, however, remained unabated. Meanwhile, Commodore Yeo was not idle, and sweeping the lake



with his fleet, supplied Vincent's army with abundance of stores and provisions. All this time Chauncey remained at Sackett's Harbour waiting the equipment of his new ship, the *Pike*. During the earlier part of July, Yeo fitted out an expedition of boats to destroy this vessel, and would probably have succeeded, but for the escape of two deserters, who apprised the enemy of his purpose. Towards the end of the month the American fleet, now much superior to the British, again appeared on the lake, and with a body of troops on board stood towards Burlington Heights, the principal depot of Vincent's army, with the view of destroying the stores collected there. This design was frustrated by a rapid movement of the Glengarry corps from Toronto, which was thus left defenceless. Chauncey accordingly proceeded thither, and on the 23d July landed there a body of troops without opposition, who set fire to the barracks and public store-houses, liberated the prisoners in jail, ill-treated some of the inhabitants, and retired with the few stores they could find. Chauncey then returned to Niagara, off which Yeo appeared on the 8th of August with his six ships. The American fleet, consisting of fourteen vessels, and much superior to the British fleet also in guns and men, stood out to attack him, but not being able to get the weather gauge, retired under cover of the shore batteries after giving a single broadside. During the night two of Chauncey's schooners were lost in a squall. Next day the fleets again manœuvred to get the weather gauge. On the 10th this advantage rested with Yeo, who, aided by a good breeze, bore down to attack the enemy. Chauncey declined the battle, however, and retired to Niagara, leaving two fine schooners to be captured by the British Commodore, who now returned to Kingston without having sustained the loss of a man.

While these events were transpiring on Lake Ontario, Harrison was steadily prosecuting his preparations in Ohio for the recovery of Michigan, while Captain Perry exerted himself in fitting out a fleet, in order to obtain the command of Lake Erie, of which the Canadians as yet had the control. Proctor and Tecumseh endeavoured to capture Fort Meigs by surprise on one of the last days of July, but withdrew on finding the garrison on the alert. The British and their Indian allies next made a dash at Fort Stephenson, on the Sandusky River, which Proctor, after a brisk cannonade, endeavoured to carry by storm on the 2d of August, but was repulsed with serious loss. Three officers and fifty-two men were killed or captured, and forty-one wounded. Proctor, finding his guns were not sufficiently heavy to overpower the fire of the garrison, and

dreading the advance of Harrison to its succour, retreated to Amherstburg.\*

Whilst the tide of ruthless invasion thus broke with checkered fortunes along the frontier of Upper Canada, important successes were achieved against the enemy on the boundaries of the Lower Province. The old fortifications on the Isle-aux-Noix, where Lake Champlain narrows into the Richelieu River, had been repaired, a garrison placed there under Major Taylor, and three gun-boats sent thither from Quebec. On the 3d of June an armed vessel was observed from this post, and her capture immediately resolved upon. No sailors were to be had, so Taylor manned the gun-boats with his soldiers, who promptly proceeded to attack the enemy, while another detachment was directed to push down on each side of the river, and open a cross fire from land. Meanwhile, another vessel hove in sight, and bore up to assist her consort. Both were compelled to strike their colours after a smart action, when they proved to be the American vessels *Growler* and *Eagle*, of eleven guns and fifty men each, under the command of Lieutenant Smith, as commodore. In this action the British had only three men wounded; the loss of the Americans was also trifling. The *Eagle* had been so much injured during the engagement as to make it necessary to run her ashore to prevent her from sinking.†

This was a most important success, and it was immediately determined to follow it up, by striking a blow against the naval and military depots of the enemy on Lake Champlain. The *Eagle* was easily got off, refitted, and named the *Broke*, while the other captured vessel was named the *Shannon*, and also put in order, as well as the three gun-boats, for an expedition up the lake. But the difficulty was to man this little squadron, as no seaman could be spared from the fleet on Lake Ontario. Fortunately, at this juncture Captain Everard, of the brig of war *Wasp*, lying at Quebec, volunteered his services, and manned the *Broke* and *Shannon* with his crew.

Sufficient batteaux having been procured, and every preparation completed, the little fleet, with nine hundred regular troops on board under Colonel Murray, sailed from Isle-aux-Noix on the 29th of July. On the 31st the expedition arrived at Plattsburg, where a landing was effected without opposition, a considerable body of American militia, under Brigadier Moore, retiring without firing a shot. A large quantity of military stores was promptly sent on

\* Major Croghan's Despatch to Harrison, 5th August 1813. Christie, vol. ii. pp. 89, 90. Prevost's General Order, Kingston, 3d September 1813.

† Taylor's Despatch to Stovin, 3d June 1813.

board the shipping, and Colonel Murray then leisurely proceeded to burn the arsenal, store-houses, and barracks recently built, capable of accommodating four thousand men.\* While the troops were thus employed, Captain Everard, with his two schooners and one gun-boat, stood across the lake to Burlington, where General Hampton had drawn together a strong body of regulars and militia, and where also the principal American naval force lay at anchor. But the latter declined to leave the protection of the shore batteries, and Everard, after destroying four vessels lying off the place, returned to Plattsburg.† Detachments of troops next proceeded to Swanton and Champlain villages to destroy the stores there; when, the objects of the expedition having been fully accomplished, they returned to Isle-aux-Noix on the 4th of August.‡

In the St Lawrence, on the other hand, two gun-boats of the enemy captured, on the 20th of July, a flotilla of fifteen batteaux laden with provisions, and one gun-boat convoying them, a little below Kingston. A fruitless attempt was made to recover the batteaux. The enemy took shelter in Goose Creek, interrupted its passage by felling trees, and lining the woods with his riflemen, compelled the British detachment to retire, after a smart action in which the latter sustained some loss.

But, while the campaign thus far had been on the whole eminently favourable to Canada, the enemy, irritated by frequent defeat, and the negative and unproductive character of his successes, made great exertions, as autumn approached, to turn the current of events in his favour. Taught by repeated failure and misfortune, his operations now assumed a more systematic and menacing character. In the beginning of September, Hampton, with a force of nearly five thousand men, crossed Lake Champlain and established himself at Plattsburg, with the view of penetrating to Montreal. At Sackett's Harbour, ten thousand men, under Wilkinson, were preparing to assail Kingston, while Harrison, with a formidable army, mustering nearly six thousand of all arms, was ready to attack Proctor, the moment the fleet now fitting out by Perry could establish its superiority on Lake Erie. Both belligerents had made the most strenuous exertions to augment their naval forces on this lake; but the British laboured at a great disadvantage when compared to the Americans. The sparse population of Upper Canada at this period possessed few facilities

\* Murray's Despatch to General Sheaffe, 3d August 1813.

† Everard's Despatch to General Prevost, 3d August 1813.

‡ Christie, vol. ii. p. 95.

for ship-building; and all the necessary material, with the exception of wood alone, had to be brought from England up the long portages of the St Lawrence and Niagara Rivers, at an amount of cost and labour we can have very little idea of at the present time. Captain Barclay, who had assumed command of the British squadron on this lake in the month of May, laboured with untiring zeal to fit out the *Detroit*, a larger vessel than any of the other five composing his squadron hitherto, in order to enable himself to meet the fleet Perry was equipping at Erie, on more equal terms. But he could not even obtain the necessary guns from the arsenal at Kingston, and had to take some of the cumbrous fort artillery at Detroit and Amherstburg to supply the deficiency. His greatest difficulty, however, was to man his fleet, as Commodore Yeo could only spare him fifty seamen. The rest of his crews was made up of two hundred and fifteen soldiers from Proctor's force and eighty Canadians; while, on the other hand, an idle commercial marine enabled the enemy to man his fleet with picked seamen, to the number of nearly six hundred. The Americans, too, although their guns were fewer, had greatly the advantage in weight of metal, besides having two vessels more than the British. But in sailors their great superiority rested. For these, the wretched mixture of six landsmen to one seaman on board of Barclay's fleet, even were they equal in point of numbers, could be no match whatever.\*

Proctor at this period found himself seriously embarrassed from want of food and other supplies; and it was evident that if the enemy obtained command of the lake, not only Michigan but Western Canada must be abandoned. Barclay, under these circumstances, determined to do his best to succour the army, and with his feeble force blockaded Perry in Erie harbour, which he could do with safety, as the sand-bar in front must compel the enemy to take his guns out to cross it. Towards the end of August, however, he was obliged to proceed to Long Point for supplies, and the American Commodore at once seized this opportunity to put to sea. The British commander was now blockaded in turn in Amherstburg, and endeavoured to improve his leisure to advantage, by training the soldiers to work the guns, and the Canadians to handle the ropes. But his provisions soon failed; he must either fight or starve; no other alternative presented itself. He accord-

\* Comparative strength of the fleets :—

	Americans.	British.
Weight of metal, lbs.	928	459
Complement of men,	580	345

ingly put to sea on the 10th of September, and soon met the enemy, when a most obstinate battle ensued. For a while the British had the advantage, and Perry's own ship, the *Lawrence*, was compelled to haul down its colours, amid the cheers of the British squadron. But Barclay had not even a boat to take possession of his prize, so defective was his equipment. The firing now ceased for a few minutes, but a breeze springing up behind the American fleet, Perry, who had meanwhile shifted his flag to another vessel, skilfully gained the weather-gauge of the principal British ships, while they, from the unskilfulness of their crews, were unable to extricate themselves from their dangerous condition. The result was, that after a desperate engagement of three hours, during which the carnage was fearful, the entire British fleet was taken. Still, it did not surrender till the vessels had become wholly unmanageable, nor till all the officers were either killed or wounded, and a third of their crews had shared the same melancholy fate.\* The American loss was twenty-seven killed and ninety-six wounded.†

The effects of this severe reverse were speedily felt by Proctor. With an enemy on his flank and front, and lacking provisions and supplies of every kind, retreat was now his sole alternative. Amherstburg, Detroit, and the minor fortified posts in the west were dismantled, stores of every kind destroyed, and the British, numbering eight hundred and thirty, commenced to retreat along the Thames, towards Lake Ontario, accompanied by five hundred Indians under Tecumseh, who showed an honourable fidelity in misfortune. Harrison following rapidly in pursuit with an army of three thousand five hundred men, including several hundred cavalry, came up with Proctor's rear-guard on the 4th of October, and succeeded in capturing all his stores and ammunition, and over one hundred prisoners. The British general had now no resource but to hazard a battle, and for this purpose he took up a position, on the following day, at the Moravian Village on the Thames. Proctor's usual prudence appears to have forsaken him. The bridges in his rear had been left entire; he made no effort to strengthen his position by a breast-work; and it is even said that his field of battle was ill-chosen.‡ But in any case, his few

\* Alison's Hist. Europe, New York, vol. iv. p. 467. Barclay's Despatch to Ye0, 22d September 1813.

† Perry's Despatch to the Hon. W. Jones, American Naval Secretary.

‡ Proctor was subsequently tried by court-martial, and severely censured for his conduct on this occasion.

worn-out and harassed soldiers, now reduced by casualties to nearly six hundred men, were wholly unequal to a contest with Harrison's numerous and comparatively well-appointed army. The result was what might naturally be expected. The British were speedily beaten at all points, and Proctor fled from the field of battle leaving the Indians to their fate. Led by their gallant chief-tain they fought manfully against enormous odds, and only retired when Tecumseh no longer lived to rally them. The few British soldiers who escaped from captivity or death, fled through the woods to re-assemble, to the number of two hundred and forty, at Burlington Heights.

Nor did the reverses of the British terminate with this fresh disaster. On the same day that Proctor fled before Harrison, six schooners, having on board two hundred and fifty soldiers, proceeding from Toronto to Kingston without convoy, were captured on Lake Ontario. These losses, in addition to the alarming intelligence that the enemy was making great preparations for the conquest of Lower Canada, and that Harrison was descending Lake Erie to reinforce the American army on the Niagara frontier, compelled Vincent, whose force was now reduced to twelve hundred effective men, to raise the blockade of Fort George, and retreat to his old position on Burlington Heights. This movement was effected in most excellent order, although his rear was threatened by Brigadier McClure, with a force fully as large as his own. At Stoney Creek, his rear-guard took up a strong position, and checked the further pursuit of the enemy. At Burlington Heights Vincent was joined by the fugitives of Proctor's division, who made up his strength to nearly fifteen hundred bayonets.

The Americans were greatly elated with these important successes, and openly avowed their intention of invading Lower Canada, and taking up their winter quarters at Montreal. As the first step in this plan, Kingston, now slenderly garrisoned, was to be immediately captured by Wilkinson's army from Sackett's Harbour. Prescott was next to fall; and then the road down the St Lawrence would be perfectly open to Montreal, where a junction was to be effected with Hampton's army. His successes in the west, and the retreat of Vincent from Fort George, permitted the enemy to mass his disposable troops at Sackett's Harbour, without danger to his Niagara frontier; and Wilkinson's army, by the addition of large bodies of regular troops, rapidly assumed a more imposing character. On the 24th of October this army, amounting to nine thousand men, with a well-appointed train of artillery, rendezvoused at

Grenadier Island, near Kingston, a favourable point for operations against that important position. But the British had correctly divined the enemy's intention, and a force of two thousand men, under Major-General De Rottenberg awaited Wilkinson's approach at the menaced fortress. The latter perceiving that his prospect of a successful assault on Kingston was now of the most slender description, determined to shift his line of attack, descend the St Lawrence at once, form a junction with Hampton's army, and capture Montreal.

Agreeable to this fresh plan of operations, Wilkinson commenced the passage down the river on the last days of October, his flotilla, of over three hundred large boats and schooners, protected by twelve heavy gun-boats. This movement having become speedily known, at Kingston, De Rottenberg took measures to annoy, and, if possible, check the advance of the enemy. Two schooners and several gun-boats were sent in pursuit, with orders to harass him as much as possible, and a "corps of observation," composed of eight hundred and fifty rank and file, was detached for the same purpose.

Wilkinson's progress was exceedingly slow, and spoke little for his energy of character, a quality so necessary to success in a military man. At French Creek, some twenty-five miles below Kingston, he halted his army for several days, during which his flotilla was much annoyed by the teasing fire of the British gun-boats. On the 5th of November he again pushed down the river, and reached a point six miles above Ogdensburg, where another halt was made, and a proclamation issued to the Canadians. On the 7th the advance of his army was resumed, and next day the flotilla was off Matilda, where twelve hundred troops were landed under Colonel Macomb, to clear the bank of some militia who had assembled to annoy his progress down the river. Two days afterwards the American general found himself at Williamsburg, where he reinforced the troops under Macomb by a second brigade, led by General Brown, and a body of dragoons. On the following day another force was landed under General Boyd.

During this time the British corps of observation continued to advance steadily on the rear of the enemy. On the 10th a descent was made by Colonel Morrison on a post at the American side of the river, where a considerable quantity of provisions and stores and two guns were captured. Colonel Harvey in the meantime followed up the enemy, who towards evening endeavoured to check his advance with some light troops and cavalry, which a few rounds from three field-pieces compelled to retire. During the

11th Morrison pressed so close upon General Boyd's division, now forming the enemy's rear-guard, while the fire of his gun-boats severely harassed the flotilla, that Wilkinson determined to check his further advance, and if possible capture his artillery. He accordingly directed Boyd to give him battle, and the latter soon drew together a body of fully two thousand regular troops for that purpose, with several guns.\*

The ground was open and perfectly clear, presenting no inequalities to favour either the assailants or the assailed, and the action, known as the battle of Chrysler's Farm, which now ensued, was a "fair stand-up fight," with the single exception that the Americans were exactly two to one; but this advantage was counterbalanced, in some measure, by their inferiority in discipline to the British. The enemy began the action by attacking Morrison's advanced guard, which gradually fell back on the main body in admirable order. At half-past two, the battle became general; and an extremely sharp contest ensued, which lasted fully two hours, and terminated entirely in favour of the British, who captured one of the enemy's guns, compelled him to retreat, and moved forward shortly after in pursuit. Our loss on this occasion was one officer and twenty-one men killed, ten officers and one hundred and thirty-seven men wounded, and twelve missing.† The Americans, on the other hand, had one hundred and two killed, and two hundred and thirty-six wounded.‡

Meanwhile, the advance of Hampton with a well-appointed army of five thousand men, including a body of cavalry, towards Montreal, compelled the Governor to call out the militia of the district, *en masse*, an order responded to with the utmost alacrity. At the same time Colonel De Salaberry was detached with the Canadian Voltigeurs to reconnoitre the enemy. This duty was very gallantly performed, and De Salaberry, after a smart skirmish with the American advanced guard, fell back to an excellent position on the Chateaugay River. Hampton, however, not having yet learned of Wilkinson's advance, hesitated to push forward to the St Lawrence, and meanwhile, in order to distract the attention of the British, detached Colonel Clarke to the Canadian settlement on Missoquoi

\* At Wilkinson's court-martial it was sworn by Colonel Walback, that the British numbered about eleven hundred men, including militia and a few Indians, while Wilkinson admits in his despatches that the Americans engaged amounted to over two thousand men.

† Morrison's Despatch to De Rottenberg.

‡ Wilkinson's Despatch to the American Secretary at War.



Bay, where the inhabitants were now plundered and ill-treated by the American troops.\*

The season for action wore rapidly away, and the American general at length commenced a forward movement on the 21st of October. On the 24th he arrived in the neighbourhood of the position occupied by De Salaberry, and made preparations to dislodge him. During the night of the 25th a brigade was accordingly detached by a circuitous route to take the British post in the rear, while the main body of the army assailed it in front. But Colonel Purdy, who led this brigade, got bewildered in the woods, and did not arrive in time to take part in the beginning of the battle that ensued. Hampton, ignorant of this circumstance, pushed forward a column three thousand five hundred strong, at ten o'clock, on the morning of the 26th, under the command of Brigadier Izzard, to carry the position held by De Salaberry with less than four hundred Canadians. It was situated in a thick wood, the British left flank resting on the river, its right on an extended abattis, while its front was covered by a breast-work of logs. This position was penetrated by a road, which had been broken up and rendered as difficult to traverse as possible.

The action began by the enemy driving in De Salaberry's advanced picket, which retired on another a short distance in the rear, and both uniting opened a smart fire upon the head of Izzard's column. On hearing the firing De Salaberry placed his few troops in extended order in front of the abattis, and directed them not to fire till he gave the signal by discharging his own rifle. The engagement speedily became general, and the enemy was effectually held in check, till the retreat of a few skirmishers in the centre of the British line encouraged him to advance. De Salaberry now dreaded his small force would be surrounded, and by a clever ruse intimidated the American troops. Placing his buglers as far apart as possible he directed them to sound the advance, which effectually cooled the ardour of the assailants, who imagined that the Canadians were advancing in great numbers against them.

Meanwhile, Purdy, directed by the firing, advanced to cross the river, and take De Salaberry in the rear. He was, however, completely defeated by two companies advantageously posted, and compelled to retire in disorder. Finding his efforts ineffectual to force the position in his front, disliking to resort to the bayonet, and seeing Purdy's brigade unable to co-operate with him, Hampton withdrew his forces at two o'clock in the afternoon, leaving the

\* Christie, vol. ii. p. 123.

Canadians completely masters of the field, with very trifling loss to themselves. After a short halt, the American army commenced its retreat on Plattsburg, its rear severely harassed by the Canadian militia, who speedily collected in considerable numbers.

The intelligence, on the 12th of November, of Hampton's inglorious defeat by a mere handful of Canadians, completely disconcerted Wilkinson's plans. He at once abandoned all idea of passing the winter at Montreal, agreeable to his first intention, and next day his army crossed the St Lawrence, and proceeded to French Mills, on the Salmon River, where wooden huts were rapidly constructed for its use. Thus terminated this invasion of Lower Canada, formidable, however, only in the number of the invaders, who, to the extent of nearly fifteen thousand men, had been foiled or beaten back by fifteen hundred regulars and militia at Chrystler's Farm and Chateaugay. Wilkinson's drunken\* descent of the St Lawrence, was a fit occurrence to take place in connexion with Hampton's five thousand men held in check by De Salaberry's four hundred Spartans.

From Lower we have now to turn to Upper Canada, which Prevost, on receiving intelligence of Proctor's defeat, had ordered Vincent to abandon as far as Kingston. Fortunately, a council of war, held at Burlington Heights, decided adversely to the instructions of the Commander-in-Chief, and determined to defend the western peninsula at all hazards. M'Clure had in the meantime remained undisturbed at Twenty Mile Creek, from whence marauding parties of his troops scoured the surrounding country, plundered the peaceable inhabitants of their cattle and provisions, and burned their barns. The latter represented these occurrences to Vincent, who, accordingly, in the beginning of December, detached Colonel Murray with five hundred regulars and Indians as far as Forty Mile Creek, to drive in the foraging parties of the enemy. M'Clure, dreading an advance against him in force, now retreated on Fort George as rapidly as possible; and having learned the disastrous termination of Wilkinson's and Hampton's movements against Lower Canada, determined to cross at once to the American side of the river. Even in this movement his terrified imagination did not see sufficient safety, if Vincent's army were permitted to find shelter in Niagara. To prevent this effectually he determined to destroy the town.

\* At Wilkinson's court-martial it was proved by Major Birsall of the American army, and Owen Chatfield of Ogdensburg, that he was drunk in the house of Daniel Thorpe, sung obscene songs there, and otherwise behaved himself most improperly.

The winter had set in unusually early: huge icicles festooned in pendent clusters the rocks rising above the river up to the Falls, where the spray, caught in its ascent by the biting north winds of December, fell back in tiny showers of hail upon the dark seething waters below. The fierce gusts of wind that traversed unchecked over Lake Ontario, fell keen and cold upon the homes of Niagara, whose unhappy people, although surrounded by the miseries of warfare, and subjected to hostile invaders, still consoled themselves with the thought that at least they had food and shelter; and anxious mothers thanked God that it was even so: and as the fierce Canadian storm raged, and the snow beat thick and fast against door and window, a feeling of gratitude swelled their hearts that their babes had a warm home.

The Americans came to free the Canadian people from what they termed the tyranny of Great Britain; but found them, on the whole, loyal, incorruptible, and satisfied with their condition. They talked to Canadians of the rights of humanity; how all men were free and equal; while thousands of trembling slaves writhed under the lash in the plantations of the South. They boasted of their respect for the rights of property, yet they plundered the defenceless peasantry of Canada, burned their fences, and visited their happy homes with the dreadful horrors of invasion. But all this was not enough; they had not yet sufficiently injured the hapless Canadians. On the 10th of December—the dark stormy December of 1813, M'Clure, by order of his Government—the Congress of the United States, as expressed through James Madison, President, and John Armstrong, Secretary at War, turned four hundred helpless women and children into the streets at half an hour's notice, and burned their homes to the ground. One house only in Niagara was left standing; and the unfortunate inmates of one hundred and fifty dwellings were driven forth, in some cases without clothing to shield them from the piercing wind, to find food and shelter where they best might. Furniture, books, household utensils, everything, in short, that could not be removed in the brief space of thirty minutes, were given to the flames. In one instance a sick woman, whose husband, Mr Dickson, was a prisoner in the enemy's territory, was carried out, bed and all, and laid down in the snow at her own door, where, shivering with cold, she beheld her house and all that was in it consumed to ashes.

No wonder that the people of Canada felt indignant at this act of wanton and unparalleled cruelty, and that the Americans were soon made to feel the full effects of the barbarous system of warfare

they had thus inaugurated, in the conflagration of the towns along their own frontier, and in the well-merited destruction of their capitol at Washington. The weeping and wailing of the widows and orphans and affrighted mothers of Niagara, as they watched the lurid flames leap from rafter to rafter of their humble homes, were portentous of dire disgrace to the American arms.

While M'Clure was busy in applying the torch to the houses of Niagara, he neglected duties far more important, and more necessary to the interests of his country. New barracks, recently erected on the river, were left untouched; the fort, which had been repaired and strengthened, he bequeathed to Murray, without blowing up the magazine, or springing a single mine; and tents for fifteen hundred men were left standing.

It was not alone in the vicinity of Niagara that the people suffered from marauding parties of the enemy. Westward, on Lake Erie, a body of Americans, led by some disaffected Canadians, committed outrages on the inhabitants. The bulk of the militia had been disarmed on Proctor's defeat, in order to prevent their being made prisoners by the enemy; a few, however, were permitted to retain their muskets to protect themselves. Forty-five of these were mustered towards the latter part of October—a marauding band of the enemy pursued—overtaken near Dover—several of them killed after a smart action, and eighteen taken prisoners. Fifteen of the latter were disaffected Canadians; eight of whom were now executed for high treason and robbery, and seven transported.

A few days after the re-occupation of Fort George by Murray, Lieutenant-General Drummond arrived at Toronto to assume the military command and civil control of Upper Canada, Mr Gore, the Lieutenant-Governor, still continuing absent in England. He was accompanied by Major-General Riall to aid him in his military capacity. Drummond lost no time in proceeding to Vincent's head-quarters, now removed to the village of St David, in the neighbourhood of Queenston. Shortly after his arrival Murray proposed to capture Fort Niagara by surprise, to which he at once gave consent.

Every preparation being completed for this important enterprise, five hundred and fifty men, under Murray, silently crossed the river, three miles above Niagara, on the night of the 18th December, without being discovered by the enemy. Next morning before day this force moved forward to assault the fort, the garrison of which was completely taken by surprise, and surrendered after a feeble resistance. The loss of the Americans on this occasion was

severe, and amounted to sixty-five men and two officers killed, twelve wounded, and three hundred prisoners. On the other hand, the British loss was only six killed and five wounded. A large quantity of stores of every description was captured, three thousand stand of arms, a number of rifles, and thirty-six guns.\*

General Riall, who had crossed over with a detachment of five hundred men to support Murray, in case of need, on learning his complete success pushed up the river to Lewiston, where the enemy had erected batteries for the destruction of Queenston, immediately opposite. These were abandoned on his approach, and Lewiston, in revenge for the burning of Niagara, was given to the flames, as well as the villages of Youngstown, Manchester, and Tuscarora. At the same time the auxiliary Indians and light troops were scattered over the adjacent country, and took ample vengeance for the numerous injuries which had been inflicted on the Canadians. It was a sad sight to see the smoking ruins of a whole district; but the Americans themselves were alone to blame. They had commenced this savage description of warfare, and deserved to feel its full effects; they had invaded the happy homes of a people of the same lineage and the same language as themselves, and it was only fitting they should be taught the miseries which they had inflicted upon others.

M'Clure now called out the militia of Genesee, Niagara, and Chataque counties to defend the frontier, and established his headquarters at Buffalo. Dreading, however, that the British would carry every post along the Niagara river, and unwilling to face the storm he had provoked, and incur the additional odium of defeat, he resigned the command of the district to Major-General Hall. The latter soon found himself at the head of two thousand men, and proceeded to make the best dispositions he could for the defence of Buffalo and its neighbourhood.

On the morning of the 28th of December the indefatigable Drummond was at Chippewa; next day within three miles of Fort Erie, and now determined to assail the enemy's position at Black Rock. Accordingly, on the night of the 30th, Riall, at the head of five hundred and forty regulars, fifty militia volunteers, and one hundred and twenty Indians, crossed the Niagara two miles below the post he was to attack, and landed without opposition. Next morning at daybreak this detachment pushed briskly forward against Black Rock; at the same time, the Royal Scots crossed the river

\* Murray's Despatch to Drummond, 19th Dec. 1813. M'Clure's Despatch to Armstrong, 22d Dec. 1813. Christie, vol. ii. pp. 138, 139.

above the village to effect a diversion in its favour, take the enemy in the left flank, and cut off his retreat toward Buffalo. This corps suffered severely from the guns in battery along the river, and was not able to land in time to take part in the spirited action that ensued. The troops already landed moved up to attack the enemy, who was strongly posted, with great spirit, and after an obstinate contest the Americans were driven through their batteries, and retreated towards Buffalo. The British followed closely in pursuit, and although the enemy endeavoured to check their advance, by throwing a body of cavalry and infantry with a field-gun across their front, they pushed steadily forward. Buffalo, from which the affrighted inhabitants had already fled, was given to the flames, as well as three vessels of Perry's squadron lying in its harbour. Black Rock shared the same fate, together with a vast quantity of stores; and from Lake Ontario to Erie the American frontier was one vast scene of desolation. These important successes were not accomplished without loss: the British had thirty-one killed, seventy-two wounded, and nine missing.\* The American loss has never been correctly ascertained, but was supposed to amount to nearly four hundred killed and wounded, in addition to one hundred and thirty prisoners.

With these acts of retribution, the justice of which was admitted by the sufferers themselves, while they denounced the conduct of their own army in commencing such a mode of warfare, closed the campaign of 1813, which terminated to the complete disgrace of American arms. With exception of the extreme portion of Western Canada, the enemy did not hold a single position on British soil, and the possession of Amherstburg was more than counterbalanced by the loss of Niagara. His large armies had been beaten back by mere petty detachments; and dispirited and discouraged were compelled to retreat into their own territory, the laughing-stock of the military men of Europe. Not only was the conduct of the British regulars much better than that of the American, but the Canadian militia, of French, British, and American extraction, had also proved themselves infinitely superior, both for aggressive and defensive warfare, to the militia of the enemy. This circumstance goes far to establish the fact, that the climate of Canada is more favourable to the growth of a hardy and military population, than the milder and more luxurious regions farther south.

Nor were the American arms more successful, on the whole, at

\* Riall's Despatch to Drummond, 1st Jan. 1814. Hall's Despatch to Armstrong, 31st Dec. 1813. Christie, vol. ii. pp. 138-144.

the seaboard than in Canada. Despite the victories won at sea by their well-manned and admirably-equipped frigates, they were unable to release their commerce from the close blockade established by the fleets of Great Britain, and their vast merchant marine lay idle in their harbours, while their decreased import revenue had to be made good by other and more direct taxation, to meet the heavy expenses of the war. The conquest of Canada was as remote as ever, and the fact began to force itself on the attention of the American people that they must emerge from the contest with little honour and no profit whatever.

## CHAPTER XV.

THE GOVERNMENT OF SIR GEORGE PREVOST,—*continued.*

THE CAMPAIGN OF 1814.

THE Legislature of Lower Canada was convened on the 13th of January, and congratulated by the Governor, in his speech opening the session, on the satisfactory results of the campaign of the preceding year. One of the first measures of the House 1814. was to pass an act increasing the issue of "Army Bills" to £1,500,000. A bill to disqualify judges for seats in the Legislative Council was next introduced and passed in the Assembly, and sent to the Upper House, where it was thrown out, on the grounds that it was unparliamentary, and interfered with the prerogative of the Crown.

After passing a vote of thanks to Colonel De Salaberry for his gallant conduct at the Chateaugay River, and to Colonel Morrison for the defeat of Boyd at Chrystler's Farm, the Assembly proceeded to take into consideration the authority exercised by the courts of justice in the province. After some discussion they came to the conclusion, that the "Rules of Court" adopted in the Court of Appeals and King's Bench, during General Craig's administration, were contrary to parliamentary enactment, and subversive of the rights of liberty and property. For the adoption of these rules, and other misdemeanors, Chief Justices Sewell and Monk were now formally impeached by the Assembly, who employed Mr James Stuart, an eminent lawyer, and member of the House, to prosecute these judges in England. The Assembly soon after passed a supply bill, which made provision for £2000 to defray Stuart's expenses in England. This item was struck out by the Legislative Council; and, as the Commons refused to submit to the amendment, the bill was lost. After agreeing to an address to the Prince Regent on the state of the province, showing the urgent necessity of early assistance to enable it to resist effectually the aggressive acts of the United States,



and the transaction of some minor business, the last session of the seventh Parliament of Lower Canada terminated on the 17th of March.

In Upper Canada the Legislature met at Toronto on the 15th February, and enacted several useful statutes. The principal of these were a more effectual militia bill, an act to provide for the issuing and circulation of government bills for one year, and another act appropriating £6000 to repair roads and build bridges.

Meanwhile, the most strenuous exertions were made to prepare for the ensuing campaign, and stores of all descriptions forwarded by sleighs, from Montreal and Quebec to Kingston, at enormous expense. In the month of February the second battalion of the 8th regiment marched upwards from New Brunswick, and two hundred and fifty seamen for the lakes came by the same route.

In the month of March, deputies, as in the old days of the French governors, descended from the West to have a conference with the representative of King George at the castle of St Louis. They represented their poverty, owing to the Americans having deprived them of their lands, and desired that peace might not be made till they had recovered their ancient hunting-grounds. "Father," said one chief, "the Americans have no hearts—they have no pity on us. They take our lands from us every day, and seek to drive us beyond the setting sun. But we hope that our mighty father beyond the great salt lake will not forsake us in our distress, and will continue to remember his faithful Red Children." After some days' sojourn at Quebec, they were loaded with presents, and sent back to prepare their tribes for the approaching campaign.

The subjugation of the western extremity of Canada had by no means been completed by the defeat of Proctor. The sturdy militia of this district were not disposed to submit themselves slavishly to American military despotism, and the appearance of a respectable British force amongst them was alone required to rally them again in defence of their country. The successes on the Niagara frontier had enabled General Drummond to turn his attention in that direction, and detachments were pushed westward to drive in the American scattered parties towards Detroit. The militia, now partially armed, were immediately on the alert to second this movement, and twenty-eight of them, under Lieutenant Metcalf, captured thirty-nine American regulars near Chatham. Another party, however, were not so fortunate in an attack, near Lake Erie, on a body of American rangers, made in connexion with a company of regulars, and some Indians, on the 14th of January. The enemy secured themselves

by an intrenchment and breast-work, and defeated their assailants with a loss of sixty-five killed and wounded, and only eight casualties on their own side. Nevertheless, feeling satisfied that they owed their safety solely to the strength of their position, they decamped after the action as speedily as possible.

Two disastrous campaigns had not sufficed to cool the ardour of the American Democracy for war; and with the first days of opening spring, their generals began to develop their plans for another attempt at the conquest of the Canadas. Great preparations were made to retrieve their disasters of the preceding years: their troops were better drilled, and better officered. Among the American general officers Scott now appeared for the first time, having been raised to the rank of brigadier.

The first movements of the campaign commenced in the neighbourhood of Lower Canada. Wilkinson had descended from Salmon River to Plattsburg, and anxious to strike an important blow as early in the season as possible, crossed the Canadian frontier on the 22d of March, and took possession of the village of Phillipsburg, just within the lines, on the eastern side of Lake Champlain. From this place he proceeded to the western side of the lake, on the 26th, with the view of attacking a small British force stationed at La Colle Mill, about ten miles distant from Rouse's Point. His army consisted of over five thousand regular infantry, with one hundred cavalry, and eleven guns.\*

The mill about to be carried, as Wilkinson supposed by the large force under his command, was an ordinary quadrangle, fifty feet long by thirty-six wide, and two stories high, with a common shingle roof. The walls, eighteen inches thick, were pierced by several windows, now filled up with logs, in which loop-holes to fire through had been cut. On the opposite bank of the La Colle River, crossed at this point by a wooden bridge, was a small house at an angle with the mill, which had been surrounded with a breast-work of logs. For a distance of one hundred yards or so around this position, which was far from being a strong one, the woods had been cleared. The ordinary garrison of La Colle Mill was under two hundred men, commanded by Major Handcock, while the few troops hastily drawn together to support it, on the advance of the enemy becoming known, did not exceed three hundred more. The latter consisted

\* In the council of war held on the 20th of March, Wilkinson stated his force to be three thousand nine hundred and ninety-nine combatants. This force was joined next day by Brigadier Macomb with his brigade, which made the entire force fully up to five thousand men.

of the two flank companies of the 13th regiment, a company of Canadian Fencibles, and another of Voltigeurs. With this slender force of less than five hundred men, did Hancock resolve to hold a post, which a few hours' fire of well-directed artillery would have levelled to the ground, against a well-appointed army.

At one o'clock P.M., on the 30th of March, Wilkinson, after having made a demonstration against the outpost at Burtonville, occupied the woods close to La Colle Mill with his entire force, which he deployed into line with the view of surrounding the British position, and carrying it with the bayonet. His troops cheered loudly as they advanced; but the well-aimed and rapid fire with which they were received, soon compelled them to waver, and retreat back into the wood for shelter. Three guns (an eighteen, twelve, and six-pounder) were now brought to bear upon the mill, within point-blank range. But these guns were badly served, and did little injury, while the artillerymen suffered severely from the British musketry, and the fire of their two guns. The enemy was also held in check on the side of the Richelieu by the fire of two sloops and two gun-boats, which had advanced towards the scene of action from Isle-aux-Noix; but these had to remain too far away to do much service. Desperate as were the odds, the flank companies of the 13th regiment, and the Canadian Voltigeurs and Fencibles, made two gallant charges, in turn, to capture the enemy's guns, but were repulsed by the sheer force of numbers, the fire of his artillery, as well as of two brigades of infantry, being directed against them.\*

For full four hours did these few hundred gallant men withstand an army. As evening approached their ammunition began to run short. Still they did not quail. Not a man spoke of surrender; and the daring front they had shown during the day deterred the enemy from assaulting their position with the bayonet. At six o'clock Wilkinson retreated from the Canadian grist-mill, completely foiled and beaten, and retraced his steps to Plattsburg. His repulse was infinitely more disgraceful than that sustained by Abercromby before the lines of Montcalm at Ticonderoga. There the British bravely endeavoured to storm: the American army made no attempt of the kind.†

In the defence of La Colle Mill the British loss was eleven killed, forty-six wounded, and four missing. The American loss has never been stated, but it must have been much greater.

The check sustained by Wilkinson led the American Government

\* Colonel M'Pherson's evidence at Wilkinson's court-martial.

† Williams's Despatch to Prevost, 13th March 1814. Hancock to Williams.

to abandon the idea of subduing Lower Canada for the present, and after leaving garrisons in the principal posts on Lake Champlain, his army was moved to the neighbourhood of Lake Ontario, to operate against the upper province. Here the campaign was opened, under the most favourable auspices for Canada, by Commodore Yeo and General Drummond. On the 4th of May the British squadron, which by the construction of two new ships had obtained the ascendancy on the lake, with one thousand and eighty troops on board, left Kingston for Oswego, where a landing was effected on the morning of the 6th, after a smart action with the enemy, who was completely put to flight. The troops then proceeded to destroy all stores which could not be carried off, dismantle the fort, and burn the barracks and bridges.\* Seven heavy guns, two of smaller calibre, a quantity of shot and gunpowder, two schooners and several small craft, and nineteen hundred barrels of flour and salt, were brought away.† The British loss, on this occasion, amounted to one officer and eighteen men killed, two officers and sixty men wounded; the Americans admit a loss of sixty-nine killed and wounded, and sixty prisoners.

The next operation of Commodore Yeo's fleet was to blockade Chauncey in Sackett's Harbour, and intercept the supplies forwarded there from Oswego. On the morning of the 29th of May sixteen boats of the enemy, laden with military and naval stores, were discovered in-shore. One of these was captured, and the remainder took refuge in Sandy Creek, whither Yeo despatched Captains Popham and Spilsbury, with two gun-boats and five barges, to cut them out. They entered the creek on the 31st, but were speedily attacked in flank and front by a strong body of the enemy's riflemen, militia, cavalry, and two hundred Iroquois, and overpowered after a desperate defence. Their resistance so irritated the Indians, that they were with difficulty withheld from massacring the entire party on its surrender. The British loss on this occasion was eighteen killed, fifty wounded, and one hundred and thirty-eight prisoners.

While these events transpired at the lower end of Lake Ontario, the American forces were being concentrated along the Niagara frontier for another invasion of that part of Canada. Their want of success hitherto by land had taught the Americans experience, and great exertions were made to have their troops better drilled and better officered than ever. Major-General Brown, who now commanded, was an officer of much greater resolution and ability than

\* Drummond's Despatch to Prevost, 7th May 1814.

† Yeo's Letter to Mr Croker.

any of those who had preceded him, and the brigadiers under him were of the same stamp. The Americans had seen by this time that their invasion of Canada was a hopeless task; still they persevered in endeavouring to force their yoke on an unwilling people; yet evidently more from a desire to restore their tarnished military reputation, than the lust of conquest. But the close of the war in Europe, by the abdication of Napoleon and his banishment to Elba, left the British at liberty to give effectual assistance to the Canadian people; and there was now much more likelihood of the United States being invaded and assailed in all their borders, than that their armies should retain possession of one acre of these provinces.

The unsatisfactory prospect now before them, as well as the long continuance of a profitless and disastrous war, gave renewed strength to the American peace party. The heavy taxes imposed to defray the largely-increased public expenditure, and the almost total stoppage of commerce of every kind, added greatly to the popular discontent. Even in the preceding year, the stern pressure of adversity had already begun to teach the American Democracy wis- 1813.  
dom; and their murmurs compelled their Government to recede, in some measure, from its position of inveterate hostility towards Great Britain and the Canadas. In the month of March a message from the President to Congress recommended the repeal of the Non-importation Act. The American House of Representatives, high as their hopes of conquest had been, now saw fit to lower their tone of defiance, and adopting the pacific suggestions of Madison, repealed the Embargo as well as the Non-importation Act. Sanguine hopes were thus awakened throughout the Union that hostilities would speedily be terminated. But the American people were soon undeceived on this head. They had endeavoured to grasp Canada, when almost wholly unprotected by regular troops, and as they supposed entirely at their mercy, but had been repelled, principally by its gallant militia. They had striven to drive Great Britain from her last foothold in their neighbourhood, and the attempt had only produced defeat and disgrace; the hour of punishment had now arrived. Never did an unrighteous invasion bring its curse more surely or swiftly with it, than that which the unbridled Democracy of the United States directed against the inhabitants of these provinces. On the 25th of April Great Britain replied to the pacific overtures of Congress by declaring the whole American sea-board in a state of blockade. This declaration added largely to the existing discontent, and it appeared for a time as if the New England States would secede from the Union. The direct taxes had advanced fifty per cent.,

various new imposts had been added, and so low had the credit of the country fallen, that Government could not negotiate a loan, and was compelled to issue treasury bills, to supply the want of a circulating medium.

Under these circumstances it might naturally be supposed, that if  
1814. the American Democracy possessed that large portion of humanity and forbearance they lay claim to, they would leave the people of Canada to carry out in peace whatever mode of government they deemed proper; and the more especially as they now saw clearly they could gain no advantage from further hostilities.\* But, although war promised only bloodshed and ruin, they determined to persevere in their projects of invasion. Accordingly, on the 3d of July, two strong brigades, under Brigadiers Scott and Ripley, crossed the Niagara River from Buffalo to Fort Erie. Here a small garrison of one hundred and seventy men had been left, more with a view of giving a temporary check to the enemy, and allowing time for troops to concentrate for the protection of the frontier at any menaced point, than for the purpose of a protracted resistance.

Unfortunately Major Buck, of the 8th regiment, who now commanded at Fort Erie, did not sufficiently weigh the importance of his post, and surrendered without firing a shot, thinking it would be only a useless loss of life to oppose the large army, fully four thousand strong, besides Indians, which had advanced against him. To resist this formidable invasion, made too by almost all regular troops, there were only seventeen hundred and eighty British regulars along the entire Niagara frontier, including the garrisons at the different forts. But Major-General Riall, now commanding at this point, determined nevertheless to check the advance of the enemy; who, on the morning of the 4th, led by General Brown, pushed down the river towards Chippewa, with the view of capturing that village, which formed the extreme right of the British position extending downwards to Niagara. During the day, however, Brown made no attempt to carry this post, and contented himself with solidly establishing his troops a short distance above it.

On the morning of the 5th, Riall, having been reinforced by the 3d Buffs, six hundred strong, from Toronto, determined to become the

\* The American troops had not yet wearied of burning the barns and destroying the homesteads of the people they desired to free. On the 13th of May Colonel Campbell, with five hundred infantry, crossed from Erie to Port Dover in Canada, and burned down the entire village. The inhabitants did not make the slightest hostile demonstration of any kind.

assailant with fifteen hundred regulars, three hundred Indians, and six hundred militia. Brown had taken up a good position ; his right rested on some buildings and orchards close on the river, and was strongly supported by artillery ; his left extended to a wood, with a strong body of riflemen and Indians thrown out on his flank and in advance.

Riall began the battle shortly after four o'clock in the afternoon, by pushing his main body in columns of echelon against the enemy's line, with the view of breaking through, and turning it at three different points. At the same time a body of militia, with the entire Indian force, were thrown to the right to dislodge his light troops and savages from the wood. But the Kentucky riflemen fought stoutly, while the Iroquois effectually held the Canadian Indians in check, and neither were dislodged until assailed by the light companies of the Royal Scots and rooth regiment. Meanwhile, the heads of the attacking columns were crushed again and again by the discharges of the long and solid American line, which stood its ground bravely, and fired with rapidity and precision. Riall at length finding himself unable to penetrate it, was reluctantly obliged to order a retreat, having sustained a loss of one hundred and fifty-seven killed and three hundred and twenty wounded. The American loss was little more than half as severe.

This battle was the most considerable fought as yet during the war, and the unusual steadiness and good conduct of the American troops showed the advantage of better discipline and superior general officers. Riall made a serious mistake in attacking an army strongly posted and twice his own strength, but had doubtless been induced to take this step from the supposition that the enemy would be beaten as easily as usual. His defeat clearly proved that the British had now to contend against abler commanders and better troops, and that a nearer equality of numbers must be possessed to insure success. Had Riall been content to act on the defensive, and cover himself by intrenchments at the favourable ground on the eastern side of the Chippewa Creek, his position would be very difficult to force, and the attempt could scarcely fail to result in the defeat of the enemy. His desperate bravery, however, had one good effect ; it showed the Americans, that if they established themselves in Canada, it would only be by very hard fighting.

Although the British army had been defeated, the enemy took no active steps to improve the victory he had won, and seemed as if he had got plenty of fighting for one day. Riall retreated in admirable order, little disturbed by Brown's cavalry or light troops,

and not a gun did he lose, nor a prisoner except the wounded he had been compelled to leave on the field.\* A rapid and vigorous pursuit must have seriously embarrassed him, but Brown attempted nothing of the kind. Taking the smallness of the British force into consideration, and the severe loss sustained in killed and wounded, a retreat such as it now effected was almost equivalent to a victory.

Dreading that the enemy by a flank march would cut him off from Burlington Heights, and thus destroy his communications with Toronto, Riall, after a short pause at Chippewa, continued his retreat to Twenty Mile Creek, throwing reinforcements into Forts Mississaga, George, and Niagara as he passed by. Meeting, however, with the 103d regiment, and two companies of the 104th, he returned towards Niagara, and established himself near the Twelve Mile Creek.

Meanwhile, General Brown advanced leisurely down the frontier, and occupied Queenston, from whence he made demonstrations against Forts George, Niagara, and Mississaga. Here he remained till the 23d, and during the interval his light troops and Indians scattered themselves over the neighbourhood, and plundered and burned dwellings and barns in every direction. On the 19th Colonel Stone caused the village of St David, containing some thirty houses, to be burned down; fences were next torn up, forage carried off without payment wherever it could be laid hands on; and, on every occasion, the American outposts acted as if they had been in a country, the inhabitants of which were their deadliest enemies. The unfortunate Canadians, maddened by their losses, were driven to desperation, and fired upon the invaders whenever an opportunity presented itself. Scarce a foraging party of the enemy returned to camp without leaving some of their number, who had been killed or badly wounded, behind.†

Brown had expected to be supported in the sieges of Forts George and Niagara, by Chauncey's fleet. The British squadron having now the command of the lake, he was disappointed in this respect, and finding the garrisons on the alert, and that nothing could be effected by surprise, he retreated to Chippewa on the 24th, followed by Riall, who established himself at Lundy's Lane, in his immediate neighbourhood, on the 25th.

No sooner had General Drummond heard, at Kingston, of the advance of a large American army across the Niagara frontier,

\* Riall's Despatch to Drummond, 6th July.

† Letter of Major M'Farland, an American officer of Brown's army.



and of the battle of Chippewa, than he hastened to Toronto, and from thence immediately proceeded to Niagara, where he arrived on the morning of the 25th. Here he learned of the retreat of Brown on the preceding day, and of the advance of Riall, whom he at once determined to support, on the enemy's rear. Directing Colonel Tucker to move up the American side of the river from Fort Niagara, in order to disperse or capture a body of the enemy assembled at Lewiston, he pushed forward to Queens-ton.\*

Brown was speedily informed of these threatening movements, and dreading that Tucker intended to capture his baggage and stores at Schlosser, if he were not forced to retreat by a counter-advance on his own part, determined to put his army in motion towards Queens-ton. He accordingly directed General Scott, with the first brigade, the cavalry, and a battery of artillery, to move in that direction, and if he met the British in force, to report to that effect, when the remainder of the army would march to assist him. In pursuance of these instructions Scott advanced to the Falls, and finding the British in larger numbers than had been anticipated, he despatched an orderly with a request that Brown should at once push on to his assistance.†

Meanwhile, the enemy at Lewiston having decamped, Drummond directed Tucker to return to Niagara, and moved forward himself with eight hundred regulars to support Riall at Lundy's Lane, or Bridgewater, as it is styled by American writers. He reached the neighbourhood of this position at half-past five o'clock in the evening, and found that Riall, instead of occupying the hill he had expected, had already commenced a retreat, his advance, composed of eight hundred regulars and militia, being a considerable distance away on the upper road to Queenston. Despatching an aide-de-camp to recall these troops, Drummond at once took possession of the little eminence at Lundy's Lane, on the summit of which he placed five field-guns in battery, with two brass twenty-four-pounders a little in advance. His line of battle was formed with rapidity and skill. The 89th regiment, a detachment of the Royal Scots, and the light companies of the 41st, he posted in rear of the battery, the centre and key of his position. To the right, the Glengarry Light Infantry prolonged the line; to the left were posted a body of incorporated militia and a detachment of the 3d Buffs. On the road, in rear of the left, were stationed a squadron of the 19th Light Dragoons.

\* Drummond's Despatch to Prevost, 27th July 1814.

† Brown's Despatch to Armstrong.

Drummond's entire force, thus formed in battle array, amounted to sixteen hundred men. Scott's brigade advancing against him was two thousand strong, exclusive of cavalry and artillery; the second brigade under Ripley, soon rapidly pushing up to support Scott, was nearly of equal strength; while the militia, under General Porter, and his cavalry, made up Brown's army to fully five thousand men.

When Drummond arrived on the ground, the enemy was already within six hundred yards of the advantageous position of which he at once so promptly and skilfully took possession. He had barely time to complete his formation when the whole front was warmly engaged. But the decision and skill of the British general had already half won the battle. The battery, so judiciously placed, was admirably served, and swept the field with terrible rapidity, while the sharp rolling volleys of the infantry held Scott's superior numbers effectually in check. For three quarters of an hour did the battle rage on something like equal terms in point of strength; then Ripley's brigade came on the ground, with another battery of artillery, and Drummond's little army had now to contend against three times its number. Brown at once availed himself of his superior force to outflank his opponent's line. The 25th American regiment swept round the British left, forced it back at an angle with the centre, gained temporary possession of the road, and the enemy's cavalry, following behind, made several prisoners, and General Riall, who had been severely wounded and was passing to the rear, among the rest. But the Canadian militiamen of the left gave way no farther than the brow of the road; and there, although pressed hard by immensely superior numbers, did they gallantly hold their ground, and effectually covered the rear of the centre and right.

Meanwhile, the battle raged furiously at the centre of the British line, on which the Americans made fierce and repeated attacks, but were repulsed again and again with steady valour, to be afterwards smote down with terrible carnage by the fire of the artillery as they fell back to reform. Presently, night drew its sable pall over the battle-field; still the combat raged with desperate obstinacy. The assailants, maddened by their losses, pressed forward repeatedly to capture the British guns, and even bayoneted the gunners in the act of loading, but were as often repulsed. They next pushed up their own guns within a few yards of Drummond's battery, and thus maintained a combat of artillery. At one time, led by Colonel Miller, they forced the 89th back and captured several of the

British cannon, but a vigorous bayonet charge recovered them again, and took a gun in addition from the enemy, together with several tumbrils.

About nine o'clock there was a brief lull in the battle, while Scott's brigade, which had suffered severely, was being withdrawn by Brown and placed in reserve, and Ripley's fresher troops pushed to the front. Luckily at this time the remainder of Riall's division, whose retreat on Fort George, as already stated, had been countermanded by Drummond, came up with two guns, and having been joined on its way by four hundred militia, the hard-pressed British combatants were now reinforced by twelve hundred fresh troops, with some of whom their line was prolonged at the right, which it was apprehended the enemy might outflank; the rest were placed in reserve. The moon now rose dimly over the battle-field, and flung its uncertain light from behind a mass of thin feathery cloud on the hostile ranks, enabling the eye to scan the slope in front of the British position, strewn thickly with the dying and the dead, the plaintive groans of the wounded mingling strangely and chillingly the while, with the dull, yet terribly voluminous roar of the mighty cataract close by.

The contest was again resumed. Long thin lines of fire marked the discharges of the hostile infantry, while ever and anon the artillery shot out a red volume of flame, and then its thunders reverberated across the bloody field, to waste themselves in fitful echoes amid the continuous roll of the Niagara. A momentary pause now and then succeeded, and the cries of the wounded for water fell ominously on the ears of the still uninjured. Till midnight did this terrible combat continue, when Brown, finding all his efforts fruitless to force the British position, retreated to Chippewa, leaving Drummond in full possession of the battle-field.

Such was the battle of Lundy's Lane, the most fiercely contested, and bloody in its results, of any fought in Canada during the war. The Americans, as we have already seen, had largely the advantage in point of numbers; the British the best position. Still, it is difficult to imagine how sixteen hundred men could have resisted an army of five thousand for nearly three hours, had the latter been skilfully commanded. - The field of battle was open, there was no bush fighting, no breast-work of any kind, and the eminence held by the British was only of trifling height and quite easy of ascent. The Americans showed a desperate courage worthy of their British descent, and had Brown wielded his large columns more skilfully,

Drummond could scarcely fail to have been beaten. He committed a blunder in not knowing more of the British force in his front, and Scott committed a still greater blunder in commencing the battle before Ripley's brigade came up. Had the whole American army been at once thrown skilfully against the British line, it must have been outflanked and hemmed in, and Drummond compelled to retreat, or have his small force destroyed. While their troops behaved admirably, neither Brown nor Scott displayed the genius of the skilful military tactician, and literally fought the battle by detachments,\* to be repulsed in detail. They sought to win a victory by the mere physical courage of their men, while their superior numbers should have decided the contest in their favour with one-half the loss they sustained in being beaten.

The Americans claim they won a victory at Lundy's Lane, but on what grounds it is difficult to imagine. They did not drive the British army from its position. If for a brief space they had its guns in their possession, a bayonet charge compelled them to surrender them again, besides losing one of their own in addition. Nor did they remain in possession of the battle-field. That honour rested with the British troops and the gallant Canadian militia. The latter fought for their country with illustrious valour, and behaved with all the coolness and courage of the best veteran soldiers. The loss of the American army, also, was the most severe, being nine hundred and thirty killed and wounded, and three hundred prisoners; while that of the British, prisoners included, only amounted to eight hundred and seventy men.† Generals Brown and Scott had been severely wounded during the battle. Drummond, also, was wounded in the neck, but remained upon the ground nevertheless till the enemy had retreated.

The active command of the American army now devolved upon Ripley, who was directed by Brown to make a fresh demonstration against the British position, at day-break on the following morning. But a reconnaissance soon convinced Ripley that Drummond was fully prepared to receive him on precisely the same ground, and he therefore declined giving battle. Fearing to be attacked in turn, Brown now determined on retreat; and having, on the 27th, set fire to Street's Mills, destroyed the bridge over the Chippewa Creek, to check pursuit, and thrown his heavy baggage, tents, and provisions into the river, retired on Fort Erie, while Drummond's light troops, cavalry, and Indians followed rapidly in pursuit.

\* Armstrong, vol. ii. pp. 93-95.

† Alison's Hist. Europe, New York, vol. iv. p. 473.

The destruction of its heavy stores, and the retreat of the American army so soon after the battle of Lundy's Lane, are clear evidences that it felt it had sustained a defeat. But if additional proof on this point is required, it will be found in the fact, that Brown's *victorious* troops were soon cooped up in Fort Erie, or in intrenchments beside it, by a force little more than half their number. The curious spectacle was thus presented to the world of a larger force besieged by the smaller, and rendered perfectly useless for the remainder of the campaign.\*

Ripley had made great exertions, during the brief interval of repose allowed him by Drummond, to strengthen the works of Fort Erie, while two vessels of war were placed so as to cover it towards the lake by their fire. These were captured, however, by the British in two boats brought overland for the purpose, on the night of the 12th of August. On the following morning Drummond's batteries opened on the works, and which their fire damaged speedily, so much that it was determined to carry them at once by assault.†

This daring attempt to storm a fort supported by an intrenched camp, in which lay over three thousand men, by a force less than two-thirds the number of the enemy, had very nearly succeeded. The assailants were divided into three columns, two of which established themselves before daylight, on the morning of the 15th, in a solid manner in a part of the Americans' works, and turned their own guns upon them. Unfortunately the third column, under Colonel Fischer, was unable to co-operate, owing to the vigorous defence of the enemy.‡ Still, the troops already inside firmly maintained their ground till a great part of them were killed by the accidental explosion of a magazine close by, when the remainder retreated in dismay.

In this gallant, but abortive attempt, the British loss was very severe; one hundred and fifty-seven were killed, three hundred and eight wounded, and one hundred and eighty-six made prisoners.§ The American loss was trifling in comparison, and in killed and wounded scarcely reached one hundred men. Nor was this the only repulse sustained by Drummond's force at this time. A simultaneous attack made against the enemy's position at Black Rock, with four hundred and sixty men, under Colonel Tucker, also failed. But the American army, now commanded by Brigadier Gaines, had

\* Alison's Hist. Europe, New York, vol. iv. p. 474.

† Drummond's Despatch to Prevost, 15th August 1814.

‡ Fischer's Report to Drummond, 14th August 1814.

§ Alison's Hist. Europe, New York, vol. iv. p. 474.

not the heart to follow up its success ; and Drummond being reinforced, on the 17th, by the 6th and 82d regiments from Lower Canada, was enabled to retain his position.

While the tide of war thus rolled fiercely along the Niagara frontier, hostile occurrences were also transpiring in the far west. Early in the spring, Mackinaw had been reinforced by way of Nattawasaga, and from thence a force of six hundred and fifty Canadians and Indians were detached, under Colonel M'Kay, for the capture of the enemy's post at Prairie du Chien, on the Mississippi. This duty M'Kay effectually accomplished without the loss of a man, and thus completely established British influence with the western Indian tribes.

Early in the season, Armstrong, the American Secretary at War, had planned the recapture of Mackinaw, and towards the latter part of July a force of one thousand men, under Colonel Croghan, proceeded to effect that object. With a part of this force Major Holmes made a descent upon the stores belonging to the North-West Company at St Mary's, and, after taking out all the furs and goods, reduced the buildings to ashes. But Holmes was not content with this robbery and destruction of private property, at a post where there was not a single military man. All the horses and cattle were killed, and the provisions and garden stuff, which could not be removed, destroyed.

On the 4th of August, Croghan arrived near the Fort of Mackinaw, and Colonel M'Dowall, commanding that post, at once made dispositions with one hundred and four men to check his advance, the remainder of his little garrison being required to man the guns. But the enemy landed in a direction different from that anticipated by M'Dowall. His march, however, was gallantly checked by a body of Indians, and Croghan was speedily compelled to retreat to his shipping, having sustained a loss of sixty-four killed and wounded. Among the killed was Holmes, the destroyer of St Mary's, who had thus met a well-merited fate. No further attempt was made on Mackinaw, which remained in undisturbed possession of the British till the termination of the war. Its safety was further secured by the capture, on the 5th of December, of two of the enemy's vessels, left in the neighbourhood to intercept supplies for the garrison, by a small party of seamen and soldiers.

While these events were transpiring in the west, Sir John Sherbrooke, the Lieutenant-Governor of Nova Scotia, was engaged in subduing that portion of the State of Maine lying nearest to New Brunswick. Early in July a small force was detached from Halifax,

under Colonel Pilkington, which took possession of Moose Island in Passamaquoddy Bay ; the garrison of the fort there, consisting of seven officers and eighty men, surrendering themselves prisoners of war. On the 26th of August General Sherbrooke sailed from Halifax, with all his disposable forces, established himself at Castine, on the Penobscot River, on the 1st September, without opposition, the enemy having blown up his magazines and retreated ; and detached six hundred troops, with a body of sailors, to capture or destroy the frigate *Adams*, which had run up to Hampden for safety. The batteries at this place were gallantly carried, and the enemy compelled to retreat, but not, however, till he had set fire to the *Adams*. Bangor was next captured without resistance ; Machias also surrendered ; and the whole country from Penobscot to New Brunswick was formally taken possession of, and remained under British rule till the end of the war.

Meanwhile, the arrival at Quebec of sixteen thousand men of the Duke of Wellington's army, put it in Prevost's power to assume the offensive. Major-General Kempt was accordingly despatched with a portion of this force to Upper Canada, with a view to a descent on Sackett's Harbour, while a body of eleven thousand troops were concentrated on the Richelieu frontier, to operate against the enemy's posts on Lake Champlain. But, unfortunately, the naval part of this expedition, on which its success mainly depended, was not by any means in the same state of efficiency as the land force. It was composed of a frigate, the *Confiance* of thirty-seven guns, one brig, two sloops, and twelve gun-boats, wretchedly equipped, not one-fifth of the crews being British sailors ; the remainder were a strange medley of English soldiers and Canadian militia.

On the 10th August the American General, Izzard, had moved up Lake Ontario, with four thousand men, to reinforce the troops besieged at Fort Erie, and enable them to assume the offensive, leaving the posts on Lake Champlain very slenderly defended. Prevost's advance, accordingly, met with no opposition ; and on the 6th September his army appeared before Plattsburg, then protected by two block-houses and a chain of strongly-fortified field-works, garrisoned by fifteen hundred troops and militia under Brigadier Macomb. The three succeeding days were chiefly employed in bringing up the heavy artillery. Prevost did not think it proper to open fire on the enemy's works, covered by his fleet of fourteen vessels, until supported by the British squadron. But so backward was its state of preparation, that it only hove in sight on

the morning of the 11th, and the shipwrights were still busily working on the hull of the *Confiance*, bearing the Commodore's (Captain Downie) flag, as she moved through the water.

The squadron which the British vessels were now bearing down to attack was much their superior in men, tonnage, and weight of metal,\* besides being supported by powerful land-batteries. Still, Downie relied upon Prevost's assurance that the enemy's position would be assailed by land while he attacked his fleet, and bore gallantly down to action. But instead of supporting this movement, Prevost directed his men to cook their breakfasts. The result was what might naturally be expected. After a desperate battle the *Confiance*, *Linnet* brig, and *Chub* sloop, were compelled to strike their colours. The *Finch* struck on a reef, and was of no use during the action, and nine of the gun-boats fled. Prevost at length put his attacking columns in motion; but, on finding that he could not expect succour from the fleet, he immediately withdrew them and resolved to retreat. The works would have been easily carried; a success in this way would have been a set-off to the disaster of the fleet; and nothing could have equalled the indignation of the troops when they were ordered to retreat. Many of the officers indignantly broke their swords, declaring they would never serve again; and the army sullenly retraced its way to the Canadian frontier, undisturbed by the enemy. The disgraceful course pursued on this occasion effectually destroyed the military reputation of the Governor-in-Chief; and as he died before he could be tried by court-martial, the stain still rests on his memory. On board the fleet, the loss in killed and wounded was one hundred and twenty-nine, while the land force lost about two hundred. The loss of the American fleet was nearly as severe as that of the British. Among the killed of the latter was the gallant Downie.

No sooner did the American force invested at Fort Erie learn the disaster of the British at Lake Champlain, than they made a vigorous sortie on the afternoon of the 17th of September. Owing to the rain falling in torrents, they succeeded in turning the right of the besiegers' pickets, and after a sharp contest obtained possession of two batteries. But a reinforcement speedily coming up, they were at

\* Comparative strength of vessels actually engaged :—

	British.	Americans.
Vessels,	8	14
Broadside guns,	38	52
Weight of metal, lbs.,	765	1194
Aggregate of crews,	537	950
Tons,	1425	2540



once driven back, and pursued to the very glacis of the fort, whither they retired with precipitation, having sustained a loss in killed, wounded, and missing of five hundred and nine men. The British loss amounted to six hundred, of whom one-half, however, had been made prisoners in the trenches at the commencement of the sortie. Finding his men becoming very sickly, and learning also the advance of General Izzard's division, Drummond raised the siege on the 21st, and retired totally unmolested on Chippewa.

During the autumn months Chauncey had the advantage, both in the number and size of his vessels, of the British squadron on Lake Ontario. At length, on the 10th of October, the *St. Lawrence*, a vessel of one hundred guns, was launched at Kingston, when the American Commodore immediately withdrew, and was blockaded in turn at Sackett's Harbour. The lake freed from the enemy's ships, troops and stores were conveyed to the army on the Niagara frontier; and although Izzard had now a fine force of eight thousand men at Fort Erie, he blew up its works, recrossed the river, and left the harassed people of Upper Canada to repose. Beyond a foray of mounted Kentucky brigands, who marked their course with plunder and destruction, at the extreme west, the retreat of Izzard was the last event of a war, which completely burst the bubble of American invasion of Canada. The Treaty of Ghent, on the 24th of December, put a final termination to hostilities, and restored peace between two nations, whose language, laws, and religion were identical, and who should, therefore, never have unsheathed the sword against each other.

The ostensible grounds of the war, on the part of the United States, were the Orders in Council and the right of search; but its real cause was the desire to acquire Canada. On each of these points the American Democracy had been completely worsted. Peace was concluded without a word being said about the flag covering the merchandise, or the right of search—while Canada remained unconquered, and far better prepared to defend herself at the close of hostilities than at the beginning.

From first to last the course pursued by the United States presents few grounds for justification. They had commenced an unrighteous war by the invasion of an unoffending and harmless people. When they found they could not seduce them from allegiance to their sovereign, their generals burned their villages and farm-houses, and plundered them of their properties. But, by a righteous dispensation of Providence they were most deservedly punished. Nothing had been gained by all the lavish expenditure of American blood and treasure.

Not one solitary dollar had been added to the wealth of the people of the United States, nor one inch of land to their territory. On the other hand, their export trade from twenty-two millions sterling had dwindled down, in 1814, to less than one and a half millions; and their imports, from twenty-eight million pounds sterling had been reduced to three. Nearly three thousand of their merchant vessels had been captured; their entire sea-board insulted; two-thirds of the mercantile and trading classes of the whole nation had become insolvent, and the Union itself was threatened with dissolution by the secession of the New England States.\* Then, if Canada suffered much misery—if many of her gallant sons were laid low by the ruthless blow of the pitiless invader, and her soil steeped with the blood of her brave militia fighting in defence of their homes, the war was, nevertheless, a real benefit to her. The lavish expenditure of money enriched, more or less, all classes of her small population; and thus gave a vast impulse to the general prosperity of the country. Nor did this expenditure add much to the burdens of the people, being chiefly borne by the mother-country, while the inhabitants of the United States were grievously oppressed by taxation, and thus directly punished for their eagerness to engage in war, and coveting their neighbours' lands, while millions of acres of their own territory lay waste.

But the most extraordinary feature of this war was the course pursued by the great bulk of the Americans, who, aside from the U. E. Loyalists, had emigrated to Canada. To their honour be it said, they nobly adhered to their oath of allegiance, willingly enrolled themselves in the militia, and gallantly aided to stem the tide of invasion. It is true that a few Americans joined the armies of the United States, but so also did persons of British origin. Fortunately, the aggregate number of traitors of all descriptions was very small, when compared with the patriotic portion of the population. At the present day, the American settlers in Canada form a large and important class of the inhabitants. As a rule, they are sincerely attached to the country of their adoption, and make worthy, useful, and law-abiding citizens. Nor have they cause to blush for the land in which their lot has been cast. Englishmen, Irishmen, Scotchmen, Frenchmen, or Americans should never hesitate to fuse themselves into a Canadian people, and help to build up a young, vigorous, and gallant nation in the valley of the St Lawrence, and along the borders of our inland seas. Whether at the Crystal Palace of London, at the Paris Exhibition, in the Stock Exchanges of the Old World, or in any

other part of the globe, no man need ever blush to be called a Canadian. Gallant in war, honest in peace, enterprising in trade and commerce, we tread "free soil" as a free people. If we have not the wealth of England, neither have we its landed oligarchy to crush down the industrial classes; if we lack the population and cotton-fields of the United States, we also lack its rabble and its slaves. Not a single national stigma rests on Canada. The course of its prosperity rolls on as steadily and as smoothly as the current of the noble river that forms its great highway to the ocean.

Another war with the United States is a very improbable contingency. If the Northern States sought to acquire Canada to make half a dozen new free states, the South would never give its consent. If the Southern States desired to make this a slave soil, the people of Canada would scorn to submit to such a fate. An independent nationality, or, what is still more probable, a continued connexion with the mother-country, on the present easy and mutual advantageous relations, is evidently the destiny of Canada. We would lose immensely by becoming a portion of the United States. Our import revenue would go to the general Government, instead of to purposes of public improvement as at present; our Legislature would dwindle into insignificance in the shade of Congress; and our commercial system would be wholly tributary to that of New York. Taxation, at the same time, would increase, while we would be completely involved in the slavery agitation, and in many other evils, from which we are now happily exempt.\*

\* The reader must remember that this was written before the late war in the United States gave freedom to its slave population. There is now less prospect than ever of the annexation of Canada to the United States.

## CHAPTER XVI.

LOWER CANADA FROM 1815 TO 1828.

THE GOVERNMENT OF SIR GEORGE PREVOST,—*continued.*

THE Legislature of Lower Canada assembled on the 21st of January, and Mr Panet having been called to the Upper House, Louis J. Papineau was elected Speaker of the Assembly.

1815. Among the measures of the Lower House was a grant of £25,000 for making the Lachine Canal; another of £1000 per annum, as a salary to their Speaker; and a third grant to Joseph Bouchette, Surveyor-General of the Province, to assist him in publishing his maps and topography of Canada. The question of having an agent in England was also taken up, and an address voted to the Governor, requesting him to procure the Prince Regent's sanction to the measure. It was also determined to prosecute their impeachment of Chief-Justices Sewell and Monk, and as this could only be done in England, the appointment of judges entirely resting with the Imperial Government, the necessity of having an agent there became more pressing.

While the attention of the Assembly was thus occupied, a message from the Governor, on the 1st of March, officially announced the conclusion of peace. Accordingly, the embodied militia were immediately disbanded, officers receiving a gratuity of eight days' pay. Provision was made, at the same time, for a pension of £6 per annum to each militiaman rendered incapable by wounds of earning a livelihood. A small gratuity was likewise given to the widows and orphans of such as had been killed during the war, and an address voted to the Crown, recommending that donations of land should be made to the embodied and other militia who had been engaged in actual service. The returns for the year ending January 5th, showed that the public revenues of the preceding twelve months amounted to £204,550, the expenditure to £197,250 currency. Of the latter sum, £111,451 sterling had been absorbed

by military expenses, £5474 went to Upper Canada as its proportion of the customs' duties ; while £339 defrayed the expenses of the recent general election, and £3693 those of the Legislature.

The business of the session having been completed, the House was prorogued by the Governor on the 25th of March. After alluding to the liberality of the Assembly, and the fortunate establishment of peace, he stated briefly that he had received the commands of the Prince Regent to return to England, "for the purpose of repelling accusations affecting his military character," preferred by Commodore Yeo, with regard to the loss of the fleet on Lake Champlain. He concluded by paying a well-merited compliment to the people of Canada, for the zeal and loyalty they had manifested during his administration.

Prior to his departure, on the 3d of April, Sir George Prevost received addresses from the French citizens of Montreal and Quebec, couched in the most flattering terms. With the British minority of Lower Canada he was not, however, by any means popular. His concessions to the French-Canadian majority had caused that minority to regard him with the utmost dislike, and his want of success at Sackett's Harbour and Plattsburg was eagerly seized upon by the press to lower him in the public estimation. A calm review of all the points at issue, while it leads to the conclusion that Prevost was not a great military genius, must accord him the merit of much political sagacity and wisdom. He effectually united a population of different origin and antagonistic feeling in defence of their common country, and thus preserved Canadian nationality through a period of the greatest danger. In his conduct towards the habitants he pursued the same line of policy followed by General Murray and Lord Dorchester, to both of whom the Lower Province was largely indebted. His bodily health, naturally delicate, was seriously injured by the hardships of his overland journey from Quebec to the sea-board, part of which was performed on foot, and the anxiety of mind consequent on his unpleasant position. He died on the 12th of January 1816, deeply regretted by his relatives and his many friends.

#### THE GOVERNMENT OF SIR GORDON DRUMMOND.

Lieutenant-General Drummond, with whom the reader is already well acquainted, assumed charge of the government of Lower Canada on the departure of Sir George Prevost. His first measure of importance was the redemption of the Army Bills issued during the war. These had passed equally current with gold and silver,

and were now honourably paid off. In the United States matters were very different. Their paper-money, of the same nature, had greatly depreciated in value, a circumstance which caused much confusion and loss.

The Legislature of the province again met on the 26th of January.

1816. In his opening speech the Governor, after alluding to his own birth in Montreal, the indisposition of George III., the battle of Waterloo, and the necessity of renewing the Militia Act about to expire, recommended the House to revive the Alien Act. The good feeling manifested by the address in reply, was of brief duration. On the 2d of February the Assembly were completely astounded by a message from the Governor, stating that the impeachment preferred against Chief-Justices Sewell and Monk had been dismissed by the Prince Regent. But the Assembly were not to be so easily foiled. On the 24th they decided, by resolution, to petition the Crown for permission to be allowed to substantiate their charges against them. But the Home Government, anticipating a course of this kind, had instructed the Governor to dissolve the Assembly, if they persisted in hostility to the judges. He accordingly prorogued the House on the 26th, and writs were at once issued for a new election. The old members were returned with a few exceptions. Meanwhile, Sir John Sherbrooke had been appointed Governor-in-Chief of Canada. General Drummond departed for England on the 1st of May; and on the 21st of the following July the new Governor arrived at Quebec.

#### THE GOVERNMENT OF SIR JOHN COAPE SHERBROOKE.

General Sherbrooke was an English officer of reputation, and had seen considerable military service. In India he had distinguished himself at the taking of Seringapatam, and had subsequently served with credit under Wellington in the Peninsula. He had already exhibited capacity in civil affairs, had conducted the public business of Nova Scotia with much tact and dexterity, and his Canadian reign now opened with an augury of success. Early frosts had destroyed the preceding wheat crop, and famine threatened several parishes: but the Governor took prompt and efficient measures to avert the evil, and from thenceforth became a favourite with the people.

The Home Government was still resolute in its determination to support the Chief-Justices, although by this time aware that the recent election had proved adverse to its wishes. But Lord Bathurst, the Colonial Secretary, did not by any means find Sher-

brooke as pliant a tool as his predecessor. While he avowed himself prepared to execute the strongest measures the ministers of the Crown might deem proper, he plainly stated the hopelessness of any attempt of this nature, owing to the great unpopularity of Sewell with the majority of all classes, asked for specific instructions in case the new Assembly should again take up the matter of the judges, and broadly hinted the sounder policy of permitting the impeachment to have been fairly tried, instead of covertly quashing it in the Privy Council.

These representations convinced the Colonial Office that it could no longer support the judges openly against the current of popular opinion, and the Governor was instructed to pursue a temporising course, and conciliate the Roman Catholic clergy. But he speedily convinced Lord Bathurst of the hopelessness of this course, by informing him that the latter were fully as hostile to Sewell as the other classes. To the Chief-Justice's influence in the Legislative Council, was ascribed the frequent opposition it gave to the measures of the Assembly. He was also regarded as an enemy to projects of public improvement, and his arbitrary conduct in refusing a writ of Habeas Corpus in the case of Bedard had made a most unfavourable impression against him in the public mind. The Governor advised the Colonial Office to compromise the dispute, by permitting the Assembly to appoint an agent in England; or by detaching Mr Stuart, the principal enemy of the judges in the House, from the opposition party, by giving him office. He also recommended that the Speaker of the Assembly should be *ex officio* a member of the Executive Council.

On the 15th of January the new House of Assembly commenced their session, and chose for their Speaker Louis Joseph Papineau, destined to figure so prominently in Canadian 1817. affairs. Descended from a respectable French family, his father had long occupied a seat in the Assembly, and also filled the office of notary-public at Montreal from the 19th July 1780, the date of his commission, for a number of years. The "elder Papineau" was sincerely attached to the Government of Great Britain; and in his address to the electors of Montreal in 1810, strongly professed his fidelity to King George, and his desire to perpetuate the "strict union" of these provinces with the mother-country, which had already produced so much happiness to his countrymen.

The Assembly courteously responded to the Governor's speech, and, in pursuance of its recommendation, at once took measures to release him from the responsibility he had incurred in making

advances to the extent of £14,216 for the relief of the distressed districts. A sum of £15,500 was appropriated in addition for the same purpose, and £20,000 were also voted for distribution in small loans to industrious farmers, to enable them to purchase seed for the ensuing spring sowing. As the session progressed, Mr Stuart was completely foiled, by Government intrigue, in his endeavour to revive the impeachment of the judges. The Assembly decided to postpone the consideration of the question by a vote of twenty-two to ten. They also agreed to the proposition of the Governor, to pay the Speakers of both Houses the very large salary of £1000 per annum each during that Parliament. Chief-Justice Sewell was the Speaker of the Legislative Council; and his friends thus dexterously managed to reward him for the trouble his impeachment had caused him. Mr Stuart was so disgusted by the course of the Assembly that he retired to Montreal, and did not again appear in public life till appointed Attorney-General towards the close of Lord Dalhousie's administration.

1818. In opening the ensuing session of the Legislature, the Governor stated that the measures taken to avert the threatened famine had been attended with the happiest consequences. He also informed the Assembly that its former offer to defray the expenses of the civil list had been accepted by the Home Government.\* This intelligence gave the greatest satisfaction to the members, by whom the settlement of the provincial

\* At this period the public income of Lower Canada arose from three sources :  
1st, The *Crown duties*, levied under the British statute of the 14 Geo. III., or the imperial act of 3 Geo. IV.

2d, Provincial duties, payable in virtue of local laws, proceeding immediately from the Provincial Legislature, or rendered permanent without their consent by the last-mentioned imperial act.

3d, The Queen's casual and territorial revenue, which arises from her Majesty's landed property; namely, the Jesuits' estates, the Queen's posts, the forges of St Maurice, the Queen's wharf, droit de quents, lods and vents, land fund, and timber fund.

With respect to Crown duties levied under 14 Geo. III., until they were surrendered in 1831, they were, with the territorial revenue, controlled and dispensed by her Majesty's responsible servants; while those levied under the imperial act of Geo. IV., and all provincial acts, have always been under the disposal of the Legislature. As the Crown duties levied under 14 Geo. III. had generally, if not always, been inadequate to the support of the civil government and the administration of justice, Sir John Sherbrooke was instructed, in pursuance of the general system of retrenchment adopted throughout the empire, to call upon the Legislature to appropriate, out of the provincial duties, a sum equal to the annual deficiency.—*Bubbles of Canada*, pp. 75, 76.



civil list, and the control of the public expenditure, had long been desired.

The duties levied by the Imperial Government, on imports into Canada, had been found wholly inadequate to defray the necessary civil expenditure, and prior to 1812 the deficiency had usually to be made up from the military chest. Subsequent to that period, the unappropriated revenues of the province had been taken for this purpose, and as their expenditure was unauthorised by the Assembly, the Imperial Government was in its debt for the sum of £120,000 sterling. This condition of things was fully explained to the Colonial Office by the Governor,\* and as it was desirable to release the mother-country from this burden, consent was now given that the Assembly of Lower Canada should provide, in the same way as Nova Scotia, for the civil expenditure by an annual vote of supplies.† In conceding this privilege, however, Lord Bathurst pressed it especially on the Governor's attention, that the concurrence of the Legislative Council should be necessary to the validity of all money bills; and that in all grants for the payment of clergymen's salaries, the Protestant Church should be first considered.‡

The estimates for the civil list, sent down at a late period of the session, amounted to £76,646 currency, while the revenue derived from the imperial duties, sale of Crown lands, and other sources, was only £33,383, leaving a balance to be provided for by the Assembly for the current year of £43,263. This sum was voted after a long debate; but it was resolved that next session a fuller estimate should be given in under detailed heads, and not in total, and provided for by bill, in order to place it on a more constitutional footing.§

Governor Sherbrooke's colonial experience made him dislike remaining in Canada, where he saw that the shuffling policy of the imperial ministers must sooner or later cause difficulties. His failing health, also, had tended to make him request his recall. He left Canada on the 12th of August, after having received the most gratifying addresses from all parties.

#### THE GOVERNMENT OF THE DUKE OF RICHMOND.

The rank of the Duke of Richmond, as well as the fact that he had already administered the Lord-Lieutenancy of Ireland with much satisfaction to its people, caused his arrival in Canada, on

\* Sherbrooke's letter to Bathurst, 18th March 1817.

† Bathurst to Sherbrooke, 31st August 1817.

‡ Bathurst's letter to Sherbrooke, 8th September 1817.

§ Christie, vol. ii. p. 301.

the 29th of July, to be hailed with gratification by the public. He was accompanied by his son-in-law, Major-General Sir Peregrine Maitland, who had been appointed Lieutenant-Governor of Upper Canada.

But the duke's popularity was destined to be of very brief duration. The fact that the annual estimate embraced a provision of 1819. £8000 sterling, to be granted in perpetuity as a pension fund, and was besides £15,000 larger than that of the preceding year, brought him speedily into unpleasant collision with the Assembly. In a committee of the whole they fixed the salaries of all public functionaries, from the Governor downwards, with the exception of those for what were deemed useless offices, which were struck off altogether. A bill was next introduced specifying the items of public expenditure, and making provision for them in detail. This bill was duly passed, but rejected by the Upper House, on the ground that the Assembly by specifying salaries in detail, trenched on the prerogative of the Crown. In other words, the monstrous and unconstitutional principle was sought to be established, that the executive had a right to appoint what officers it pleased, at such salaries as it pleased, and that it was the duty of the Assembly to pay the estimates without inquiry. If this procedure of the Legislative Council were tamely acquiesced in, it was plain that the executive would be freed from all constitutional control, and that public economy need not be looked for.

Beyond voting £3000 to enable the Government to survey lands to be granted to the militia who had served actively during the war, little business of importance was transacted during the remainder of the session. The House was prorogued by the Governor on the 24th of April in terms of censure, in consequence of its not having made provision for the civil list, nor reformed the judicature act, which it was considered allowed too much latitude to judges, and thus gave rise to great public dissatisfaction. In addition to Sewell and Monk, two other judges, Bedard and Foucher, had recently been impeached for malpractices. But, owing chiefly to the difficulty of a prosecution, nothing further was effected in either case. Shortly after the session had terminated, the duke drew upon the Receiver-General, on his own responsibility, for the sum necessary to defray the civil list.

The decrease in the value of agricultural produce, and the almost complete destruction of the Irish linen trade, owing to the jealous enactments of the British Parliament and the general introduction of spinning and weaving machinery into England, reduced the now

rapidly increasing poor population of Ireland to a deplorable condition. A large emigration to Canada accordingly took place during the summer of this year. A considerable number of persons came also from England and Scotland, swelling up the total to twelve thousand four hundred and thirty-four, many of whom were in a state of destitution, and drew largely upon the charity of the benevolent.

Owing to the sudden death of the Duke of Richmond,\* on the 27th of August, while on a tour of inspection through Upper Canada, the administration of government devolved upon Mr Monk, who thought proper to dissolve the Assembly on the 9th of February, in consequence of their refusal to <sup>1820.</sup> vote the amount necessary for the civil list. The election as usual resulted unfavourably for the executive. Papineau was again chosen Speaker, but the Assembly refused to do business, on the ground that the member for Gaspé had not yet been returned, and that their body was therefore incomplete. Matters remained in this state till the 24th of April, when official intelligence arrived of the death of George III., and Sir Peregrine Maitland, who had meanwhile been appointed to the temporary charge of the province, accordingly dissolved the House.

#### THE GOVERNMENT OF THE EARL OF DALHOUSIE.

On the 18th of June, George, ninth Earl of Dalhousie, and a lieutenant-general in the army, promoted from the Lieutenant-Governorship of Nova Scotia to be Governor-in-Chief of Canada and the rest of British North America, arrived at Quebec to assume charge of the administration. His military career had been a most distinguished one. In 1787, at the early age of seventeen, he had succeeded to the title and estates of his father, and the same year became a cornet in the 3d Dragoon Guards. He served in Ireland during the Rebellion of '98, and with Sir Ralph Abercrombie during his campaign in Egypt. In 1809, he took part in the unfortunate expedition to the Scheldt. The Duke of Wellington made honourable mention of him in his despatches for good conduct at Vittoria and the Pyrenees, and he received the thanks of both Houses of Parliament for his distinguished services, particularly at Waterloo.

The general election took place immediately after Lord Dalhousie's arrival, and was particularly distinguished by an able speech from

\* The duke's death was caused by the bite of a tame fox, not suspected to be in a rabid state, with which he was amusing himself. This event occurred at Richmond, on the Ottawa, where the duke also died.

Mr Papineau, at the hustings, to the voters of the west ward of Montreal, in which he contrasted, in forcible and appropriate language, the happy condition of the inhabitants under British sovereignty with what it had been in the old days of French dominion. "Then," said he, "trade was monopolised by privileged companies, public and private property often pillaged, personal liberty daily violated, and the inhabitants dragged, year after year, from their homes and families, to shed their blood—from the shores of the great lakes, from the banks of the Mississippi and the Ohio, to Nova Scotia, Newfoundland, and Hudson's Bay. Now religious toleration, trial by jury, the Act of Habeas Corpus, afford legal and equal security to all, and we need submit to no other laws but those of our own making. All these advantages have become our birth-right, and shall, I hope, be the lasting inheritance of our posterity. To secure them, let us only act as British subjects and free men."

The new Parliament met on the 14th of December, and was immediately disturbed by a quarrel between its two branches, owing to the manner in which the supply bill was voted by the Lower House, which now made voluntary provision for the pension list, though not embraced in the estimates. The Legislative Council contended that this list had already been permanently provided for, and not being included by the executive in the amount required for the public service, the Assembly had no right to assume its control. In support of this position, the Upper House agreed to a series of standing orders, to the effect that they would not entertain any supply bill which should not be applied for, and recommended by the King's representative; nor proceed upon any bill of appropriation for the civil list specifying the expenditure by chapters or items, unless such appropriation extended during the life of the reigning sovereign.

Thus the breach widened continually between the two branches of the Legislature. The Upper House, chiefly composed of members of British origin and a majority Government dependents, took a position more and more in favour of centralising all real power in the executive, and so secure for its members place and pension; while the popular branch, from the very nature of its formation, leaned to a greater constitutional freedom, a purer administration, and an economical use of the public resources.

Hitherto, the Crown lands of the province had been granted to favourites of Government in the most prodigal manner.

1821. During the ensuing session of the Legislature, this circumstance was made the subject of investigation, and enormous abuses

brought to light. Inquiry was also made into the conduct of the Receiver-General of the province, an officer appointed by the Crown, and who was suspected to be largely a defaulter. He was extensively concerned in the lumber trade, and the possession of the provincial moneys by a person engaged in commerce was a source of much dissatisfaction to the mercantile community. The sessional payment of members of the House was again discussed, and negatived in committee. An attempt was likewise made to do away with several useless offices, and to compel the Lieutenant-Governor of the province, who drew a salary from it of £1500 sterling, to reside in Canada instead of in England. Appropriations were granted for several public purposes; among the rest, one to construct the Lachine Canal at the expense of the province, the incorporated company surrendering its privilege. As the disagreement still existed between the two Houses, no provision was made for the payment of the civil list. Government, finding itself in an unpleasant predicament, had in the earlier part of the session made a concession to the Lower House by calling Papineau to the Executive Council; but was, nevertheless, unable to carry out its views.

Meanwhile, the province had been steadily progressing. The introduction of steamers on the St Lawrence and the great lakes, had given a vast impetus to trade. Emigrants had rapidly crowded in, and the eastern townships alone now contained a population as large as that of all Canada at the Conquest. The revenue had increased to £150,000; the Lachine and Rideau Canals, great public works, were in progress, and the general condition of the country on the whole prosperous. At the same time, party spirit had taken firm hold of the community, owing to the difference of origin, the arbitrary conduct of the executive, and the quarrels which originated in the Legislature. Confident in their increasing numbers and influence, a desire for a distinct nationality began to take firm hold of the minds of many among the French population, owing to the intrigues chiefly of the popular leaders who saw in "*La Nation Canadienne*" an accession to the place and power denied them under existing circumstances. On the other hand, the British minority could not divest themselves of the idea that the French Canadians were a conquered people, that they alone had the right to govern, and chafed at their want of legislative influence. This feeling, as time progressed, became more and more intense, and displayed itself in a variety of ways, nearly all equally offensive to the other party, and tending to unite them still more closely in their dislike to everything British. The bulk of the habitants were wholly

uneducated—several members even of the Assembly could not write ; they thus became the mere tools of the better informed and designing, who found it their interest to foster their national prejudices, and make the mass of the people more completely French every day. The truth of Mr Fox's statement, "that it would be wiser to unite still more closely the two races than separate them," became more and more apparent as time progressed. As things now stood, if an Englishman, or Irishman, or Scotchman aspired to a seat in the Assembly, he had to divest himself of his national prejudices, learn the French language, and become a Frenchman to all intents and purposes.

While matters remained in this unsatisfactory condition, a financial dispute arose with Upper Canada, which now claimed a  
1822. larger portion of the import duties than it had hitherto received. This dispute, in connexion with the quarrels of the Lower Canadian Legislature, and the tendency to independence now manifesting itself, determined the Imperial Parliament to interfere. A bill was brought in there which provided for the union of the two provinces ; conceded all that Upper Canada had asked for ; and made the executive, to a certain extent, independent of the Assembly, as regarded an annual vote of supplies. This bill prevented the Legislature of Lower Canada from imposing new duties on imported goods, unless with the consent of the Parliament of the Upper Province or the Sovereign, and also contained the very important provision of permitting parties to commute, by transaction with the Crown, the seigniorial tenure into free and common socage. With exception of the clause providing for the union of the provinces, omitted till the sense of the inhabitants should be ascertained, it passed into law, and became known as the "Canada Trade Act."

When the project of a union was published in this country, it caused very great excitement. The inhabitants of British origin were generally strongly in favour of the proposal, while those of French descent were as decidedly opposed to it. Public meetings were held by both parties at which resolutions for and against the measure were adopted, and petitions were drafted, accordingly, and forwarded to the Imperial Parliament. The French dreaded the total loss of their ascendancy in the province, and deprecated the project as one of bad faith ; while the Anglo-Canadians, on the other hand, denounced this very ascendancy as retarding the prosperity of the country, as productive of anti-British feeling, and as tending to check the growth of international commerce. The

signatures and crosses appended to the anti-union petition, taken to England by John Neilson and Louis J. Papineau, amounted to sixty thousand. James Stuart carried home the petitions of the unionists. From this agitation the Governor wisely held wholly aloof.

Thoroughly alarmed by the projected union, which was generally regarded as a coercive measure, the Assembly came together, on the 10th of January, in a much more tractable <sup>1823.</sup> spirit. After electing Mr Villiers as their Speaker in room of Papineau, who still remained in England, the proposed union of the provinces was taken into consideration, and resolutions passed against it by a majority of fifteen to five. On these resolutions were based petitions to the Imperial Parliament and the Crown, which were transmitted to Papineau and Neilson for presentation. Sir Francis N. Burton, the Lieutenant-Governor, having arrived in the meantime, his salary was increased from £1500 to £3000 sterling. The claims of the eastern townships to a more equal representation, and the establishment of convenient courts of justice therein, were taken into consideration. The new district of St Francis was accordingly erected, and a judge appointed to it with an inferior jurisdiction. A Court of Quarter Sessions was also established in these townships. The great difficulty of the Assembly was the question of a representation in their own body. The eastern townships were nearly all settled by persons of British origin, and if formed into counties their representatives must necessarily be opposed in opinion and feeling to French influence. By way of compromise a bill was introduced giving six members to these townships, but which, at the same time, increased the representation of the rest of the province so as to preserve a large anti-British majority. This bill was very properly rejected by the Upper House.

The estimates for the civil list were laid before the Assembly on the 5th of February, eventually agreed to, and the necessary sums voted. Agreeable to instructions from the Home Government, these estimates were of two kinds. One was for the fund over which Government claimed the entire and independent control; the other specified the more popular expenditure, for which the Assembly was to make appropriation. Both estimates were given in detail. Several appropriations were also made for public works; pensions were granted to Judges Monk and Ogden; and sums voted to the General Hospital at Montreal, and the Hotel Dieu at Quebec. On the whole, the session, which terminated on the 22d of March, passed off satisfactorily. "It only remains for me," said the Governor, in the closing paragraph of his speech, when proroguing the

House, "to offer my warmest thanks for your assiduous and laborious attendance. I esteem the result of the session to be at once honourable to yourselves and useful to your country." Shortly afterwards it was officially promulgated that his Majesty's Government had relinquished the project of a union for the present.

Owing to the total failure of the Receiver-General, John Caldwell, for £96,117 sterling of the public money, the executive found itself so embarrassed for funds, that the Legislature was called together on the 25th of November, to devise some measure for its relief. Caldwell proposed to surrender his private property, which he valued at £32,000, in liquidation in part of his debt; and, if he were continued in office, to pay £1000 per annum until that portion of it which he considered due, amounting to about £45,000, was discharged. The balance he asserted ought to be placed to his credit, as it amounted to only three per cent. on the whole moneys passing through his hands, the Receiver-General of Upper Canada having that allowance. No promise of this nature, however, had ever been held out to him; and his offer could only be regarded as an emanation of bankrupt official impudence. In this light it was evidently viewed by the Assembly; who, very justly, were averse to allowing such an enormous compensation for services so dishonestly performed. Alarmed at the additional burthen this failure must impose upon the country, they sought to shift its responsibility to the Imperial Government, whose immediate servant Caldwell was; and establish the sum deficient as a debt due from it to the province. As they had no control whatever over the Receiver-General, who never accounted to them directly or indirectly, the correctness of their position can scarcely be doubted. It had long been known that Caldwell was likely to prove a defaulter; and in allowing him to retain office under those circumstances, the Government had been guilty of a gross dereliction of duty, and was promptly punished by the manner in which the occurrence strengthened the hands of the Assembly.

The estimates for the civil list were not laid before the House till a late period of the session. In going through its details  
 1824. twenty-five per cent. were deducted from the salaries of all public officials, beginning with the Governor, and other measures adopted equally unsatisfactory to the Legislative Council, who at once rejected the bill. The Governor now called upon the Assembly to refund the advances he had made, from the military chest, to the Receiver-General in 1822-3. This they refused to do, on the ground that it was merely a loan of accommodation to the latter,



then known to be a defaulter, and whom, instead of thus sustaining, it was the duty of the executive to have at once removed. As the session progressed, some discussion took place on the claim put forward by the United States to the free navigation of the St Lawrence, which was steadily resisted. An offer from Upper Canada to raise the tariff on importations was also taken into consideration, and rejected on the ground that, owing to the unfavourable state of commerce, it would not be advisable to levy new taxes. An address was voted to the Crown praying the division of the Clergy Reserves of the province among all Protestant denominations; which, emanating entirely from Roman Catholics, gave great offence to members of the Church of England, who regarded the step as an improper interference with their concerns. After the transaction of some other business, the Legislature was prorogued on the 9th of March. No provision had been made for the civil list, and several important matters otherwise were left in a very unsatisfactory state.

On the 6th of June, Lord Dalhousie, having received leave of absence, departed for England, leaving Sir Francis Burton, the Lieutenant-Governor, to conduct the administration. The general election took place in July and August, and increased rather than diminished the Government opposition in the Assembly. Very few members of British origin were returned, and of these some were opposed to the extreme monarchical views of the executive. In the Legislative Council, Caldwell, the defaulter, was still permitted to retain his seat, a very questionable policy, and clearly showing how lightly the Government regarded the enormous peculation of which he had been convicted.

The new Assembly met on the 8th of January, and after choosing Mr Papineau as its Speaker, proceeded to take into consideration the expediency of having judges rendered more independent, by appointing them for life, instead of during the pleasure of the Crown, and preventing their sitting in the Legislative or Executive Council, a measure which would wholly remove them from the influence of Government. But no decided measures on this head were adopted. The estimates were this time laid before the Assembly without any distinction being made between the appropriated funds of the Crown, and the sum required from the House to make up the deficiency. This seemed to be a tacit surrender of the Crown revenues to the control of the Assembly, an advantage it had long desired to acquire, and which placed the executive completely at its mercy. It subsequently appeared, however, that the Lieutenant-Governor was neither authorised nor intended to

make any concession of the kind. Postponing the use of the new power they supposed themselves to have acquired, the Assembly voted the entire sum necessary for the civil list without specifying details, and in this shape, also, the bill passed the Upper House. There, two members, however, strongly opposed it, on the ground that the practice of the British Commons should be followed, namely, to fix the amount of the civil list at the beginning of each reign, and then to grant the same for the life of the sovereign; new items of expenditure only to be made the subject of a yearly vote. Placing public servants annually, they also urged, at the mercy of the Assembly, had a direct tendency to republicanism. The bill was likewise disapproved of by Lord Bathurst, the Colonial Secretary. In Canada, however, the results of the session gave very general satisfaction.

Lord Dalhousie, having returned from England, opened the next session of Parliament on the 21st of January; and, pursuant  
1826. to his instructions, laid the estimates before the Assembly in two classes, as had been the practice before his departure. This produced a good deal of indignation among the members, who persisted in their determination to vote the supply bill as they had done the preceding session, and which, in this form, was now rejected by the Upper House. The usual grants, however, were made for public works and schools, and accepted by the other House and the Governor. A census made during the preceding year, by vote of the Legislature, and of which the returns were now fully made, gave the population of the province as four hundred and twenty-three thousand six hundred and thirty souls.

The next session of the Legislature was still more stormy. The  
1827. Home Government adhered to its determination to retain the disposal of the imperial revenues, while the Assembly were equally resolute in their purpose to obtain their control. Both parties had gone too far to recede; and the French-Canadian leaders, having obtained a firm hold on the minds of the simple habitants, now plainly desired the establishment of an independent nationality for their country, and to favour that object sought to push the Government to an extreme position, and render it as odious as possible. In this they were eminently successful. The uneducated and unreflecting peasantry were only too prone to regard all who did not profess their own religion, or speak the same language as themselves, with dislike, and this feeling was now sedulously directed by demagogues against everything British. The generation of the Conquest had passed away, and the existing one knew little of the evils their fathers had been rescued from.

The lapse of time had furnished unmistakable evidence how unfitted British statesmen were to legislate for a French population whom they did not understand. In the first place, a great error had been committed in not securing the ultimate extinction of the French laws and language by the gradual introduction of those of England. Failing in this respect, a second mistake was made in altering the administration of Lower Canada from a Governor and Council, with which the people were well satisfied, to a popular legislature. In making that change, a third and still greater blunder was committed, in not uniting both provinces, and thus fusing the British and French populations of the Canadas into one complete whole. The fourth error consisted in the unconstitutional, and in many instances arbitrary, conduct of the executive, and the endeavour to make the Upper House represent the British population, and act as a check on the Lower House, which was almost exclusively French. The antagonism of the two races might, therefore, be said to begin in the very Legislature itself, the last place it should have made its appearance. The Assembly regarded the Upper House as the embodiment of British intolerance, pride, and exclusiveness—as the standing evidence of their national subjugation. The Upper House looked upon the Assembly as the representatives of a conquered people, always prepared for revolution, and desirous to free themselves from a dominion they detested. Both parties, to a certain extent, were correct in their opinions.

The system of government adopted by the Colonial Department led to the almost total exclusion of the French-Canadians of talent from office, and thus made the very men whose support was most desirable the bitterest enemies of the executive. The mass of the people had literally no mind whatever of their own. They knew little of ordinary politics, absolutely nothing of abstract theories of government, and were completely at the beck of the designing and better educated professional men of their several neighbourhoods, who were again swayed in turn by the crafty and visionary men of talent of the Papineau school. The administration of Sir James Prevost showed clearly what could be done by admitting the Franco-Canadian leaders to the confidence of the administration, and treating them as British subjects, not as conquered Frenchmen.

In short, the government of Canada was one continued blunder from the day in which Amherst signed the capitulation of Montreal to the union of the provinces. At the present moment, we are paying the penalty of British legislative folly, in having to anglicise a French population of three quarters of a million ; whereas at the

time of the conquest the operation had only to be performed on seventy thousand souls. How much more sensibly did the Americans act when they acquired Louisiana, and where their laws and language were immediately introduced into the courts. Had the English laws and language been gradually and wisely introduced into Lower Canada after the conquest, instead of the bungling manner in which the measure was attempted to be effected, that province would now wear a very different aspect from what it does.

Finding the Assembly thoroughly intractable, the Governor for the first time resorted, in the month of July, to a dissolution. But, in pursuing this course, he fared no better than his predecessors. The Roman Catholic clergy held wholly aloof from the existing agitation, and their influence alone could have effectually served the executive, and enabled them to stem the current of popular opinion, now so deservedly running counter to their views, their places, and their pockets.

When the Legislature was convened in November, the Assembly once more chose Mr Papineau for their Speaker. But the latter had recently spoken disrespectfully of the Governor, who accordingly refused to ratify their choice. Here was a new difficulty for which there was no Canadian precedent, so the House was literally non-plussed. A remonstrance to the Governor was voted, but he would not listen to any communication from the Assembly, until it should be legally organised by the appointment of a Speaker. For three days did matters remain in this unusual condition, when the Governor released the members from their embarrassment, by sending them home for the present.

The great bulk of the British population approved of the course pursued by Lord Dalhousie on this occasion, and addresses to that effect were presented to him from Montreal, Quebec, and the eastern townships. On the other hand, he was violently abused by the opposition prints, which led to the commencement of several libel suits. These were not afterwards prosecuted, however, owing to the departure of the Governor. The close of the year was distinguished by the endeavours of the Presbyterian Church to obtain a share of the Clergy Reserves of the province.

1828. Finding there was little prospect of the Governor making any concessions to their demands, the anti-executive party determined to lay their grievances, by petition, before the Imperial Parliament and the Crown. These grievances were chiefly based on the unconstitutional course of the Legislative Council, in

throwing out useful bills passed by the Lower House, on the arbitrary acts of the Governor, and his expenditure of the public moneys without authority from the Assembly. To the petition were affixed the names of eighty-seven thousand persons, of whom, however, only nine thousand could write : the remainder, like the red men of old times when they descended to hold council at Montreal or Quebec, made their marks ; a fact which forcibly proclaimed the want of common schools in Lower Canada at this period. Their complaints, however, affected Lord Dalhousie very little. His appointment to the government of India shortly after his return to England was not invalidated thereby, and in his imperial palace at Calcutta, surrounded by princes of Mohammedan and Hindoo dynasties, shorn of their power and splendour by the servants of a commercial company, he swayed the destinies of one hundred millions of human beings, from the Deccan to the Sutlej. There, a greater sovereign than any European potentate, he possibly forgot, for the time, his Canadian difficulties.

The increasing embarrassment of the administration of Lower Canada determined the British ministry to release itself from all responsibility in the premises, by submitting the matter to Parliament. On the 2d of May, Mr Huskisson, now Colonial Secretary, moved in the House of Commons that a select committee of twenty-one members be appointed to inquire into the civil condition of Canada. "The Assembly," said he, in introducing his motion, "in order to enforce their unreasonable pretensions, have refused to appropriate any part of the large revenue of which they have the command, unless also the appropriation of the Crown revenue be given up to them."

But despite the smooth glozing over of the members of the ministry or their supporters, the committee, on the 22d of July, reported in favour of the Canadian petition. They recommended the abolition of the seigniorial rights of the Crown, the establishment of new electoral districts, more in accordance with the progress of population, and the surrender of the whole of the public revenue to the Assembly ; measures to be taken, at the same time, to render the Governor, Executive Council, and the judges independent of an annual vote of supply. They also reported in favour of allowing the Canadians to have an agent in England, and generally indorsed the prayer of the petitioners. The report of this committee of the Imperial Parliament gave great satisfaction in Lower Canada, and the Assembly ordered four hundred copies to be printed and distributed among their constituents.

The success which thus met the anti-executive party was not known in Canada till the 15th of September, a week after the departure of Lord Dalhousie, and who was, therefore, spared the mortification of seeing his policy so unequivocally condemned in presence of the people of his government. In England he subsequently endeavoured to defend the course he had pursued, but was not very successful in the attempt. A coercive policy having so far completely failed, a conciliatory one was now determined on, and Lieutenant-General Sir James Kempt, promoted from the Government of Nova Scotia, deputed to carry it out.

## CHAPTER XVII.

UPPER CANADA FROM 1815 TO 1828.

THE ADMINISTRATION OF FRANCIS GORE, ESQ.,—*continued.*

SIR GORDON DRUMMOND having been appointed Governor in-Chief of the Canadas, the public affairs of the Upper Province were directed, for a brief space, by Generals Murray and Robinson, till the return of the Lieutenant-Governor, 1815. Mr Gore, in the latter part of 1815. Three years of warfare had taught the people the blessings of peace, and many gladly laid aside the sword to devote themselves assiduously to their former occupations, and repair the losses they had sustained during the progress of hostilities. But the recent war had inflicted numerous injuries which the gently soothing hand of time alone could alleviate. Many a brave man had gone to his last account; and widows and orphans watered with their tears the graves of fathers, who would still have protected and supported them, but for the invasion of their country by the pitiless Democracy of the United States. Canada has now little to fear, with her increased population and resources, from a second attempt of this kind. We sincerely trust, however, it will never be made, and that the rivalry between two nations of the same lineage and language—children of the same great Anglo-Saxon family—will be for ever restricted to the peaceful walks of commerce and agriculture.

During the early part of this year, a strong effort was made by the Home Government to direct the current of British emigration to Canada. On the 22d of February a proclamation was issued at Edinburgh, offering a free passage to emigrants of good character, a grant of one hundred acres of land to themselves, and a like grant to their sons on coming of age. They were also to receive provisions till their crops were harvested, and the necessary farming utensils at half of prime cost. To prevent any abuse of these advantages, intending emigrants were obliged to deposit £16 in the

Government agent's hands as security, but which were to be returned when they had settled permanently on their grants of land. A large number of persons who came out from Scotland on these conditions were located in the county of Lanark.

But the emigration was of too partial a character to be of much solid benefit to the country, and it soon became a source of regret to many that Government now steadily set its face against the admission of settlers from the United States, refusing altogether to grant them lands. As an additional measure of precaution, they were not permitted to take the oath of allegiance, and were thus, under authority of a sedition act of the Legislature, liable to be at any time turned out of the province by the Government.

A single year of peace gave sufficient repose to the public mind of Canada West, and attention was now turned to the  
1816. better development of its resources, and the improvement of its facilities for education. The Legislature was convened on the 6th of February, and passed a number of necessary bills. One appropriated £800 for the purchase of a library for the use of members of both Houses; another gave a salary of £200 per annum to their Speakers. A grant of £1000 was made to encourage the cultivation of hemp by bounties; and an act, to continue till repealed, gave £2500 per annum to help to defray the expenses of the civil list, still a burden on the Crown, in gratitude, as the preamble stated, for the aid given by his Majesty in defending the country. But the most important act by far, passed at this session, was that founding the common-school system of the province, and granting the sum of £600 per annum to aid in paying the teachers' salaries and to purchase books. It was based on the general principles of the present School Act; but its provisions were simpler and more direct.

The recent war had produced a considerable change in the social condition of the people. During its continuance a large amount of money had been expended in the country, and many persons thus contracted habits of expense little suited to an agricultural community. Several had acquired a fondness for the military life, and returned discontented to the drudgery of their farms. Government, too, had neglected to give the promised grants of land to the volunteers and embodied militia, which also created dissatisfaction. Thus circumstanced, numbers were disposed to quarrel more pointedly with anything which they supposed interfered with their individual prosperity, and to investigate more narrowly into causes tending to check the general progress of the country. Then again



the people desired to revive, by some means, the current of money into the province, so completely checked by the termination of the war, and did not at all like the idea of returning to the same degree of comparative poverty in which they were before its commencement. The war, which in one way or another drew almost the entire male population of Upper Canada into its vortex, had of itself completely unsettled the habits of the people by its novelty and excitement, and the absence of these mental stimulants, aside from the greater scarcity of money, produced a very general irritation. Insufficiently philosophical to analyse the true source of this feeling, it naturally found vent against whatever were deemed abuses, and formed the microscopic medium through which the injuries they entailed, whether real or fanciful, were regarded.

Such was the state of feeling in Upper Canada, when its Legislature met on the 4th of February. The members of Assembly were evidently imbued with the dissatisfied <sup>1817.</sup> spirit of the masses, and went into committee of the whole on the 3d of April, to take into consideration the state of the province, as embraced under four heads. These were the impolicy of checking emigration from the United States, the insufficiency of postal facilities, the injuries sustained by the Crown and Clergy Reserves interfering with a more complete settlement of the province, and the propriety of the King granting lands to the embodied militia who had served during the war.

It was diametrically opposed to the policy of the executive, however, to permit an investigation of this description. Scarcely had the Assembly adopted three resolutions, preliminary to the discussion of the questions at issue, than it was suddenly prorogued by the Governor, without any previous notice, in a short speech of three paragraphs in length. In the first of these paragraphs he informed them the session had been sufficiently protracted, and that no important business demanded their further attention; in the second, he told them he came to close the session; and in the third, he declared his acceptance of the supplies voted to meet the deficiency in the fund which had hitherto served to pay the civil list.

This contemptuous treatment of the Assembly astonished its members fully as much as it did the public generally, and caused a good deal of dissatisfaction and discussion. The three resolutions adopted by the House merely affirmed the fact, that two acts had been passed by the Imperial Parliament, for encouraging emigration to the province, and for the naturalisation of foreign Protestants. Part of the

resolutions to be proposed were based on these admissions, and went to show that emigrants from the United States might still lawfully settle in the country, and that any prohibition to the contrary ought to be rescinded. A ninth resolution averred that the large tracts of Crown and Clergy Reserve lands throughout the province prevented the formation of connected settlements, so necessary for opening and keeping the roads in repair, and offered a temptation to future wars with the United States, by presenting the means of indemnifying themselves, and rewarding their soldiers, in the event of conquest. The tenth resolution recommended the sale of the Crown Reserves, instead of leasing them, as was then the practice; while the eleventh condemned the appropriating one-seventh of all the lands in the province for the support of a Protestant clergy, as altogether too lavish, proposed that the Imperial Parliament should be petitioned to sell a part of the lands already reserved, and that a less quantity should be retained in future.

These resolutions embodied the opinions of the bulk of the people at this period, who accordingly denounced the conduct of the Governor, in preventing their discussion, as arbitrary and unconstitutional. While in this disposition the question of responsible government began gradually to present itself, though as yet very dimly, to the public mind. As time progressed its achievement was regarded as the only mode of getting rid of an arbitrary oligarchy, who seriously retarded the prosperity of the country.

While the incipient seeds of discontent and agitation were thus being firmly planted in the community, Robert Gourlay, destined to figure somewhat prominently in the affairs of this country for a short time, came out in the month of July, attracted hither by the Government proclamation inviting respectable emigrants to settle in Canada West; he had formed, however, no definite plan as to his future course, and was desirous, in the first place, merely to examine the capabilities of the country, with a view to a general system of emigration.

Mr Gourlay was descended from an old and respectable Scottish family. His father, at one time an Edinburgh lawyer of some repute, had purchased a considerable quantity of landed property, and for several years was regarded as a person of wealth. The close of the war with Bonaparte reduced the value of land in Great Britain very materially, and from this circumstance, and some other unexplained causes, the elder Mr Gourlay became bankrupt. His son, Robert, was fated to be equally, if not still more, unfortunate. In 1809 he

leased the Deptford farm in Wiltshire, England, for twenty-one years, and expended a large sum of money in making improvements. But he speedily quarrelled with his landlord, got involved in lawsuits, became distinguished for a litigious and dissatisfied, though benevolent disposition, and finally, to escape the troubles his imprudence had gathered round himself, came out to Canada, leaving his friends to arrange his embarrassed affairs with his creditors, which office, to judge from his own account of the matter, they performed very little to his satisfaction.

Robert Gourlay possessed very respectable natural abilities; was energetic, restless, ambitious, desirous to distinguish himself and advance his fortunes, but lacked that prudence necessary to command success. His genius was of a flighty and erratic, rather than a sober stamp; he belonged to a class, existing more or less in every age, fated to injure themselves, while they benefited humanity at large. His father's estimate of him was singularly correct. "Robert," said he, "will hurt himself, but do good to others."

While in a moral point of view Mr Gourlay did not occupy by any means a high position, he was very far from being a bad man. As one wades through the three ponderous octavos, of all manner of odds and ends, which he bequeathed to Canada, his coarse abuse of individuals, intemperate language, thirst for personal revenge, and self-conceit, must lower him seriously in the estimation of the impartial reader. Still, he was evidently more sinned against than sinning; and honest criticism must make due allowance for his difficulties and misfortunes. Indefatigably industrious, enterprising, shrewd, fearless and honest in dealing with public questions and abuses, he struck boldly out for the welfare of Canada after his own odd fashion, and had its leading men sufficient patriotism to turn his abilities to account, he must have effected some good. But it is evident they were all more desirous to benefit themselves individually than the province generally. Upper Canada was too young a country as yet to have its patriots; and the public welfare was lightly considered when balanced against personal profit.

While in England, Mr Gourlay had engaged in an agitation for the revival of the poor-laws; wrote letters to the newspapers and pamphlets supporting his views, which were in some cases of an enthusiastic and visionary character; and leaned undoubtedly to the extreme opinions advocated by the celebrated William Cobbett, the great stickler for royalty and aristocracy in republican America, for the people and democracy in monarchical England. Like him, Gourlay was indefatigable in hunting up abuses. Circumstances

had tended to produce a plentiful harvest of these in Canada ; and, without stopping to consider the wisest mode of procedure, he ran full tilt against them, offended the prejudices of men in power by the unceremonious manner in which he spoke of their conduct, and by other imprudence, likewise, speedily made himself a host of bitter enemies, who destroyed whatever prospects of usefulness he might have had. A little more tact would have enabled him to steer clear of the difficulties he met with in this country. But the morbid passion for hasty notoriety which had distinguished him in England, and a disposition to treat the authorities with contempt, as his inferiors in intelligence, made speedy shipwreck of his hopes.

After a residence of a few months in this country, during which he sedulously applied himself to acquire a knowledge of its natural resources, and the social and political condition of its people, Mr Gourlay conceived the idea of becoming a land-agent, and by the compilation of a statistical account of Canada West, to acquire the requisite information. This information, in the first place, he proposed to procure by addressing thirty-one queries to the principal inhabitants of each township, the answers to which must supply precisely what he sought. Thirty of these queries related merely to agricultural matters, or to that description of information usually embodied in census returns, and were perfectly innocent of themselves. Owing to the agitation already commenced in the province, the 31st query, however, possessed a pointed political meaning, and created an immediate alarm among the Family Compact people. "What," it asked, "in your opinion, retards the improvement of your township in particular, or of the province in general ; and what would most contribute to the same?"

This question at once aroused a serious opposition to Mr Gourlay's plans. Government favourites who had got grants of valuable land, and held it in reserve, wild lands being then untaxed, till the labours of the surrounding settlers made it doubly valuable, as well as all those interested in the preservation of land monopolies of every kind, disliked that any light whatever should be thrown on a system so largely advantageous to themselves. By these parties a feeling hostile to Mr Gourlay was immediately excited. He was accused of sinister motives, stigmatised as a democrat and disloyal person, and in several instances the people were dissuaded from furnishing the information he sought. In the Home District, where large blocks of land were held by Government favourites, no return whatever was made to his queries, owing to the interference of

members of the executive. In other quarters, all his queries were answered but the 31st. In a majority of cases, however, this was broadly replied to, and the Crown, Clergy Reserves, and wild lands held by speculators, very generally stigmatised as interfering with local prosperity.

Mr Gourlay was not by any means disposed to allow his plans to be thwarted in silence, and his letters to the newspapers, of which seven were now published in the province, added to the growing discontent of the people. When the Legislature 1818. next met, a vote of inquiry into the condition of affairs was carried in the Assembly. But before any further action could be taken in the matter, Government seized upon the pretext of a difference with the Legislative Council, and suddenly prorogued Parliament, leaving a large amount of public business unfinished.

Finding there was little prospect of anything being done by the Legislature to remove the evils they complained of, the people readily caught at a scheme, proposed by Mr Gourlay, of petitioning the Imperial Parliament to investigate the affairs of the province, and of employing an agent in England to support their views. He further proposed that deputies should be selected by the different townships, to meet at Toronto, and there decide on the draft of a petition, and the other necessary measures. This convention met during summer, and wholly unconscious of doing anything wrong or disloyal, had concluded its deliberations before the Legislature assembled. Owing to the opposition of Government, however, no decisive action was taken upon its resolutions. The agitation, nevertheless, had one good effect. The Colonial Office now determined that the promised grants of land should be made to the militia embodied during the war.

The executive now became seriously alarmed, and as it was found exceedingly inconvenient to have a person of such a curious and prying disposition as Gourlay in the country, it was determined to get rid of him on the first opportunity. He had already published the draft of a petition to the Crown, to be adopted by the people as far as they thought proper, and a passage in this was now fastened on as affording grounds for a criminal prosecution for libel. This passage, couched in the strongest language, alluded to the ignorance of the Colonial Minister of the wants of the country, the system of patronage and favouritism, and the universal corruption of the Canadian authorities. "Corruption, indeed, has reached such a height in this province," said the obnoxious passage of the proposed petition, "that it is thought no other part of the

British empire witnesses the like. It matters not what characters fill situations of public trust at present ; all sink beneath the dignity of men, and have become vitiated and weak."

#### THE ADMINISTRATION OF SIR PEREGRINE MAITLAND.

Meanwhile, Mr Gore had been recalled, and Sir Peregrine Maitland appointed Lieutenant-Governor of Upper Canada. In the interim of the general's arrival the government was administered by Samuel Smith, a U. E. loyalist, who, while entirely unconnected with the Family Compact, had raised himself, by integrity and ability, to the highest positions in the country. Sir Peregrine had possibly never heard in his life of Mr Gourlay till he arrived in his government in August, but that gentleman lost very little time in attracting his notice. He wrote a letter to him stating, "that he was under a charge of libelling the Government, that he was a year in the country, and would have no objection to wait upon him at any time, and give him the benefit of his experience."\* The Governor, however, had no disposition to avail himself of the one year's experience of the egotistical Mr Gourlay, who four days after making what he no doubt supposed to be a very liberal offer, was shut up a close prisoner in Kingston jail. Here he remained for six days until brought to trial on the 20th of August, when he succeeded in beating the Government, and was acquitted. The sympathy of the community ran high in his favour. Ten days afterwards he was tried a second time at Brockville for another libel in the same petition, but was again honourably acquitted ; and having now twice defeated the Government, was apparently in a fair way of becoming quite a popular personage. But his elevation had been too rapid to be lasting.

On the 12th of October, the Legislature was opened by the Governor with a short speech, one paragraph of which was levelled at Mr Gourlay. "In the course of your investigation," said Sir Peregrine, "you will, I doubt not, feel a just indignation at the attempts which have been made to excite discontent, and to organise sedition. Should it appear to you that a convention of delegates cannot exist without danger to the constitution, in framing a law of prevention, your dispassionate wisdom will be careful that it shall not unwarily trespass on the sacred right of the subject to seek a redress of his grievances by petition."

The Assembly were now as thoroughly alarmed by the convention as the Government, and regarded the movement as an infringe-

\* Gourlay, vol. iii. p. 502.

ment on the rights of parliamentary representation, and a censure on their body. The term convention, too, was an American phrase, which smacked of republicanism, and of itself alarmed the members. "We remember," said they, in an address to the Governor, on the 19th of October, "that this favoured land was assigned to our fathers as a retreat for suffering loyalty, and not as a sanctuary for sedition. We lament that the designs of one factious individual (Gourlay) should have succeeded in drawing into the support of his vile machinations, so many honest men and loyal subjects of his Majesty." Not a word, however, was breathed about grievances, or the condition of the province; the convention had all that business to itself. The Assembly were now prepared to pass any measure the executive might recommend, and to put their ban, if necessary, upon the unlucky Gourlay. On the 28th of October, Jonas Jones, of Brockville, introduced a bill to prevent the future assemblage of conventions, under the head of "An act for preventing certain meetings within this province," which was duly passed into law, twelve out of a House of thirteen voting for it.\*

The extreme position taken by the Legislature, and the efforts of the Family Compact, produced a reaction against Mr Gourlay in several parts of the country, and many persons were led to believe that he was really a seditious and disloyal person. Still, considering himself perfectly safe, and not a little elated at the sudden importance he had acquired, he resolved to settle permanently in the province as a land-agent. But the executive determined they should not be so easily foiled. An Assembly man, of the name of Isaac Swaize, was base enough to swear that Mr Gourlay had not been a resident of the province for six months, and was a seditious person. He thus came under the ban of a statute passed in 1804, and levelled against foreigners, and was served with an order, on the 21st of December, to quit the country before the new year. He disobeyed this order, was arrested, and incarcerated in Niagara jail, to the great indignation of his friends, still very numerous. By a writ of Habeas Corpus, he was brought before Chief-Justice <sup>1819.</sup> Powell at Toronto, in February; but the latter refused to permit his enlargement by bail, and remanded him to prison.

In June the Legislature again assembled. In his opening speech, the Governor stated he had received instructions from the Crown to grant lands to the militia; but that he would take the responsibility

\* This law was repealed two years afterwards. Chief-Justice Robinson alone voted against its repeal.

on himself of refusing them to the members of the recent convention. It was anxiously expected that the Assembly would evince its disapprobation of this part of the address. After a long debate it was endorsed by the casting vote of the Speaker, and the Upper House concurred in language the most direct and submissive.

This conduct afforded a fresh grievance-text to Mr Gourlay, and he hurled anathemas from his cell against the executive, through the columns of the *Niagara Spectator*. This led to his being refused every indulgence for some time, till his health had completely failed. His long confinement, there being then only one jail delivery in the year, had almost rendered him insane; and when brought to trial at the Niagara Court of Queen's Bench, he was nearly unconscious of the entire proceedings. He was indicted for merely refusing to obey the order to quit the province, which the act already alluded to made a misdemeanour, and not for sedition; was found guilty as a matter of course, and compelled to retire immediately into the United States, whence he shortly afterwards proceeded to England.\*

Such was the termination of Mr Gourlay's connexion with Canada. Whatever may have been his faults, his intentions were unquestionably good; and, at the present day, there can be only one opinion of the treatment he met with, to wit, that it was most unjust, unconstitutional, and despotic, and reflects indelible disgrace on the public men who gave it the sanction of their authority. The people of Canada have reason to thank Providence such an occurrence cannot again disgrace their country, and that the sway of the oligarchy, who permitted it, has long since passed away, never to return.

The arbitrary conduct of the Government with respect to Mr  
1820. Gourlay, excited a very general feeling of indignation throughout the province, and a determination to send a different class of members to the Assembly next time, who would

\* Mr Gourlay published his work on Canada in London in 1822. It contains a large amount of very useful matter touching this province; but the bad arrangement renders it much less valuable than it should be. In 1824 he became temporarily insane. Mr Gourlay was in Canada a few years since, but returned again to Scotland. While in prison in Canada he proposed a tax on wild land as a check to speculators—a plan soon after carried into effect—and advocated the improvement of the navigation of the St Lawrence.—Vide *Niagara Spectator*, 24th June 1819.

In England he was subsequently imprisoned for striking Lord Brougham in the lobby of the House of Commons, and on the ground of insanity. He again returned to Canada in 1854.



be more disposed to advocate the measures of reform desired by the people. The Governor was already becoming unpopular. He surrendered himself completely into the hands of the Family Compact, the more dexterous and politic members of which, while they pandered to his desire for flattery, and apparently yielded to his love of power,\* took good care to hold the reins of government firmly in their own hands. Of cold, haughty, and overbearing manners, with much more of the military man about him than the civil governor, he was not adapted by nature for a popular ruler, and leaned, from habit and constitutional temperament, to a system of arbitrary government. The fact, too, of his having eloped with the Duke of Richmond's daughter at Paris, while the allied armies lay there after Waterloo, and that he was merely sent out by the Home Ministry, by way of making provision for him in deference to his father-in-law, and not in consequence of his fitness for the office, gradually leaked out, and tended to make him still more unpopular.†

The population of the province had now increased to nearly one hundred and twenty thousand souls. New settlements had been formed in various districts; and as the country was on the eve of a general election, it was deemed advisable to increase the representation. The Legislature was accordingly convened on the 21st of February, when an act was passed which nearly doubled the number of members. Another act regulated the commercial intercourse with the United States, and a third embodied a new School Bill. As the act prohibiting meetings by deputy in conventions had caused a good deal of bitter feeling among the people, it was thought prudent by members to repeal it, before they again asked support from their respective constituencies. One voice alone was raised against the measure, that of John Beverly Robinson, afterwards Chief-Justice, and who, at a subsequent period, protested still more forcibly against the union of the Canadas, a course which showed how little he understood the true interests of the country of his birth, and how personal feeling and party prejudice can influence for error the wisest and the best. Agitation had also effected another benefit. Gourlay's suggestion had already been adopted, and a tax laid upon wild lands to the infinite chagrin of speculators. On the 7th of March the House was dissolved, and writs were soon after issued for a new election.

Beyond the establishment of the Bank of Montreal, with branches or agencies in the principal towns of the sister provinces, and the labours of the commission for settling the boundary line between

\* Wells's Sketches of Canada, p. 157.

† Gourlay, vol. iii. p. 493.

the United States and Canada, little of note occurred during the summer. In December the new Parliament was summoned 1821. to meet, for the despatch of business, on the 31st of January following. Before it assembled, a notice in the *Upper Canada Gazette* informed the public that five new members had been called by his Majesty, King George, to the Honourable Legislative Council of the province. Four of these were ordinary and every-day men ; the other, first on the list, was a man of mark, the late Bishop Strachan of Toronto, who was thus promoted from being chaplain to the honourable councillors, to be an honourable councillor himself. His rise had been equally rapid and extraordinary, and presents an apt illustration of what shrewdness, tact, and political sagacity, in connexion with even average abilities, can do for a man in a new country, such as Canada then was, and where society was as yet rough and unformed.

The story of Bishop Strachan's fortunes reminds one of the fortunate heroes of romance. Descended from a poor peasant family of Scotland, he was thrown at an early period of life upon his own resources for subsistence. After picking up a little classical learning at Aberdeen, he became, in 1796, and at the age of eighteen, teacher to the children of a farmer in Angusshire. He subsequently taught the parish schools of Duninno and Kettle, in Fifeshire, at a salary of some £30 per annum. On this small stipend he eked out an existence for some time, while attending St Andrew's College, as an irregular student, with the view of being admitted into the ministry of the Presbyterian Church, of the Anti-Burgher branch of which Church he was, or had been, a member. His ancestors, also, had all belonged to the Kirk ; and possibly some of them too, in the old persecuting times of Laud and Claverhouse, had struck boldly for the Covenant at Drumclog and Bothwell Bridge.

Richard Cartwright, of Kingston, being desirous to have the benefit of a good education for his children, solicited his friend, Dr Hamilton, of Gladsmuir, in East Lothian, to send him out a young man qualified for a family tutor, to whom he would give £50 currency per annum by way of salary. Dr Hamilton offered the situation to Mr Strachan, who gladly closed with the proposal, and accordingly came out to Canada in 1799 during Mr Hunter's administration. After teaching in Mr Cartwright's family for a time, he became master of the district school at Cornwall, then a small and very poor village of about four hundred inhabitants. While filling this situation he married a widow with some property, and as he was a person of saving and economical habits, his condition, in

point of money matters, was now materially improved. He still continued a member of the Presbyterian Church ; and at this period we find him in treaty, at his own instance, with a congregation \* in Montreal to become their minister, he proposing, if they paid him a sufficient salary, (£300 a year,) to return to Scotland for ordination. The congregation, however, being either too poor or unwilling to meet Mr Strachan's views in point of remuneration, the matter terminated.

Travel usually serves to make one more a man of the world, and not unfrequently brushes away many preconceived notions. Such appears to have been the case with Mr Strachan. His experience in the backwoods of Canada had materially diminished his veneration for John Knox, and he had now by no means the dread of "black prelacy" and the "Book of Common Prayer," so common to strict Scottish Presbyterians of the olden time. The prospects of the Presbyterian Church in Canada were poorer then than they are now—it had no portion of the Clergy Reserves ; while the post of a schoolmaster in a little village presented scarcely a hope of preferment. On the other hand, one-seventh of the broad acres of Canada belonged, as it was then supposed, to the Church of England for ever, and as time rolled on it must become the wealthiest religious corporation the world ever saw. Then it was also the State Church of the land ; its ministry gave a ready passport into the best society ; and to a man like Mr Strachan, poor, friendless, and buried in an obscure little village, three hundred miles away from the seat of government, it presented the only secure road to fortune. The shrewd Scotch schoolmaster marked out his course, struck into it vigorously, and on the 2d May 1803 was ordained a deacon by Bishop Mountain of Quebec, was priested in the following year, and appointed to the mission of Cornwall. He was subsequently promoted to be rector of Toronto, and his course was now steadily onward, until we find him, as already stated, a member of the Legislative Council of Upper Canada.

And yet, this very remarkable success was achieved without any exhibition of brilliant talent or learning. Dr Strachan's opportunities could not have sufficed to make him a profound scholar, nor did he attain to celebrity in any of the other walks of literature. He was neither a Tillotson, a Jeremy Taylor, nor a Whately. The

\* This was the St Gabriel Street Presbyterian congregation. Before they erected their own church, they were permitted to meet for worship in a French Roman Catholic church, belonging to one of the lay orders, which, in return, they presented with a pipe of wine.

“Sketches of Canada,” which he is said to have written, had such slender success, that, we believe, he never afterwards attempted anything in the way of authorship. Nor were his pulpit discourses distinguished for their elegance of diction. His sermons, whatever may have been their intrinsic merits, were delivered with so broad an accent as to make them particularly unpleasant to the natives of other countries beside his own. His success, therefore, must be sought in the facts, that he was a clever man of the world, a shrewd judge of human nature, and possessed sufficient tact to turn these qualities to the best account.

With Bishop Strachan’s career subsequent to 1821, most people in Canada are acquainted. Further biographical detail is consequently unnecessary. At once a minister of religion and an active politician, he filled a prominent position in the public affairs of this province, as a legislative and executive councillor, till the final overthrow of the Family Compact, of which he continued to be one of the most active members.

Now that the effervescence of Canadian politics before the union has settled down, and past occurrences can be calmly and impartially investigated, it is evident that whatever temporal benefit the Church of England in Canada West acquired for a time, in having its most distinguished member an active politician, this very circumstance, of itself, has inflicted a deep and lasting injury on its weal. The original agitation against the Clergy Reserves did not commence on religious grounds ; there was at first no dislike on the part of other Protestant Churches to the Church of England. The people simply complained that the Clergy Reserves, as well as the Crown Reserves and the wild lands of speculators, interfered with local and individual prosperity ; but there was nothing said about a State Church, nor the impolicy of endowing it so richly to the detriment of other churches, till Dr Strachan engaged in politics in 1817. But, as the dignitaries of the English Church allied themselves more and more closely with the members of the Family Compact, and were thus drawn deeper into the vortex of political squabbles, from which as ministers of the gospel they should have kept wholly aloof, an unreasonable feeling arose against the Church itself, as being aristocratic in its tendencies, and opposed to popular rights. Thus, to the course pursued by Dr Strachan as a politician may, undoubtedly, in a great measure be traced the fact, that in no part of the British empire, nor in any other country, is the Church of England regarded with such hostile feelings by other Protestant denominations as in Canada West, and nowhere, certainly, has she lost the hearts of so many of

her own members, who have gone to swell the ranks of contemporary creeds. The Church of England in Canada, as well as elsewhere, has secured to itself the advantages of a refined and well-educated ministry. Hitherto, unfortunately, its Canadian antecedents and political position have seriously militated against its usefulness. Now that the settlement of the Clergy Reserve question gives that ministry perfect fair play, it is to be hoped it will assume that position in the affections of the masses, which, had it been truly wise, it would never have forfeited. The very education of Bishop Strachan precluded him from understanding the true temporal policy of the Church of England. He knew nothing originally of its literature. From the time that he attached himself to its ministry, his life was that of the bustling politician, rather than the scholastic divine, or the distinguished savant. He was felt in his own generation, to be forgotten by posterity. In an old and settled form of society he would never have emerged from the average mass of humanity. Sharp, practical, and clever, Canada was his true element. Everybody was beginning life, there was nothing to keep him down; where learning was a scarce article, a little went a long way. From the poor family tutor, he rose to be the district schoolmaster; another step, and he was enveloped in the surplice of the Episcopal minister. By being a clergyman he became a politician, by being a politician he became a bishop. His elevation did not take place because he was a distinguished author, or an illustrious divine. Yet even as a politician he was neither original nor profound. He did not create a system, nor originate a new era. He attached himself to a body already formed, and can only be regarded as an active partisan. As a partisan his influence was secret and secure, rather than open and exposed—of a depressing, rather than of an elevating character. Half a century must at least elapse before the Episcopal Church can have recovered from the evils of his impolitic sway. Whatever advantages it may have derived by his worldly shrewdness, or business sagacity, have been more than counterbalanced by the fact of its bishop having been a politician, and lacking that distinguished position in scholarship and literature, which its principal divines have almost invariably arrived at.\*

The eighth Parliament of Upper Canada met, pursuant to proclamation, on the 31st of January, for the first time, and the Assembly chose Levius P. Sherwood, of Brockville, for its Speaker. The

\* Bishop Strachan died at Toronto on the 2d November 1867, in the eighty-ninth year of his age.

Governor opened the session with a precise and formal speech. He spoke of the accession of George IV., of the happy constitution of the province, advised the Legislature to take measures to promote the interests of true religion, and alluded to the current of immigration now setting steadily into the Canadas. Within the preceding two years he stated that forty new townships had been surveyed, and in a great measure granted on condition of actual settlement. But it appeared that the public finances of the province were in a depressed condition, the militia pensions had been allowed to fall into arrear, and money was not forthcoming for various necessary purposes.

The debate on the "address," showed clearly the complexion of the House. It was evident that the majority sided with the executive. The people, whatever might have been their hopes, had chosen the wrong men, as a rule, to carry out their views. It was plain that during the ensuing four years no inquiry of much moment would be made into the condition of the province, and that the executive might be as arbitrary as it thought proper. Still, there were many good business men in the House, and several useful acts were passed during the session. Among the principal of these were an act to establish a uniform currency throughout the province; another act, granting a sum of money to aid the construction of the Rideau Canal; and a third, specifying that no tithes or ecclesiastical rate of any kind should ever be levied in Upper Canada.

The Legislature was prorogued on the 14th of April, and beyond a tour of the Governor through several districts of the province, the summer produced little of importance. Money continued scarce, despite the establishment of the Bank of Upper Canada; business was dull; and the prices of agricultural produce very low. Flour only rated from sixteen to twenty shillings currency per barrel, and wheat was almost unsaleable.\* The Legislature again assembled on the 21st of November. The opening speech of the Governor referred to the difference with the lower province, as to the amount of duties it should refund to Upper Canada, and regretted that the principal source of revenue should thus be interrupted, to the detriment of the public works then in progress.

A vacancy having occurred in the representation of Lennox and Addington during the recess, Barnabas Bidwell was returned. He had originally resided in Massachusetts, remained there after the termination of the War of Independence, took the oath of allegiance to the American Government, became Attorney-General of the State,

\* *Brockville Recorder*, 10th July 1821

Treasurer of the County of Buckshire, and was returned to Congress. Bidwell, however, was poor, and possibly temptation proved too strong for him. We find him accused in 1810 of misapplication of the public moneys, making false entries to conceal the deed, and flying to Canada to escape a trial—a fact of itself which goes a long way to prove the truth of the charges preferred against him. He settled in the Midland District, where he taught school for some time in the village of Bath, took the oath of allegiance in 1812, and prepared the clever “Sketches of Canada” which appear in Gourlay’s work, and form its most valuable portion. He was the fast friend of the latter, became popular as a Reformer, a name by which the anti-executive party now began to be characterised, and believing that his Massachusetts antecedents were not generally known, or partially forgotten, offered himself to the electors of Lennox and Addington, and was returned.

But Bidwell was mistaken in supposing that his past conduct was not remembered. His election was immediately petitioned against, on the grounds of his being a person of immoral character—a fugitive from justice, and having taken the oath of allegiance to the Government of the United States. An agent was now despatched to Massachusetts, who easily obtained copies of his indictment, and positive proofs of his flight on a warrant having been issued for his apprehension. Bidwell defended himself with great tact and skill. He contended that the charges against him in Massachusetts originated solely with his political enemies; at all events, as there had been no conviction, the House should not assume the fact of his guilt without a trial. With regard to the oath of allegiance, he maintained that it only embraced the period of his residence in the United States, and did not disqualify him from taking a like oath in this country. He was expelled the House very properly, however, after a long debate, but by a majority of only one, seventeen voting for the motion of expulsion, and sixteen against it.\* A new writ was accordingly issued for Lennox and Addington, and a Mr Clark elected this time by a majority of one hundred and thirteen. Mr Bidwell’s son, Marshall Spring Bidwell, who offered himself as a candidate, was objected to on the ground of his being an alien. He was subsequently returned, however, and became a prominent personage in the arena of Canadian politics.

The case of Bidwell was a novel one, and to prevent a recurrence of anything of the kind, an act was passed, on the 17th of January,

\* See Debates in Provincial Parliament of Upper Canada, and Journals of the House, for 1821.

making persons in his position ineligible to a seat in the Assembly.

1822. This act, however, being too oppressive on American emigrants, it was subsequently repealed in 1824, and a new act passed making a residence of seven years the condition of eligibility to membership in the Assembly on the part of foreigners who had taken the oath of allegiance to their former governments. At the same time, it continued the disqualification of persons who had held any of the principal public offices of the United States. It has since been repealed by the 12 Vict. chap. 27.

Owing to the statement in the Governor's speech, with regard to the differences with Lower Canada on the matter of revenue, the Legislature determined to send the Attorney-General, Peter Robinson, as their agent to England, to press their claims on the attention of the Crown and Imperial Parliament, and voted £2000 to defray his expenses and remunerate him for the service. After the transaction of some general business the House was prorogued on the 17th of January.

This year was an uneventful one as regarded Upper Canada. Despite the continued scarcity of money, the country was steadily progressing in population and in agricultural and commercial prosperity. Steamboats were now in general use on the rivers and principal lakes, and gave a vast impetus to commerce; but down the rapids of the St Lawrence, below Prescott to Montreal, the old Durham, or flat-bottomed, boat alone continued to descend, to be frequently abandoned at the end of the voyage, or sold for whatever it would bring, as the expense of dragging it back against the current would exceed its value. A high tariff and a lax revenue department led, as hitherto, to a vast amount of smuggling from the adjoining districts of the United States, which had a most baneful effect on the morals of many of the trading community, and produced considerable disorder in the province otherwise. Among other commodities, large quantities of lumber were in this way introduced into the Quebec and Montreal markets for shipment to England, to the detriment of the Canadian lumbermen, who were loud in their denunciations. Banks had now been established in all the principal towns, but the benefit derived from them was neutralised in no small degree by the number of bad bills put into circulation by American counterfeiters. Farm produce of every kind continued to bring unremunerative prices, so the growth of hemp remained a matter of attention with the agricultural community; and the advantages of the culture of tobacco, in the western peninsula, began to be considered. Agricultural societies had been already established in some districts, and



aided in no small degree in improving the modes of tillage, still in a very imperfect state. Even in well-cleared districts, the rudest description of bush-farming was yet adhered to ; and the ploughs and other agricultural implements were entirely unequal to the necessities of the farmer. Labour-saving machines were still unknown, and the products of the fertile glebe continued to be won by the sturdy efforts of unskilled manual toil.

Towards the close of this year, the proposed union with Lower Canada created a good deal of agitation, and public meetings were held at which resolutions were passed for and against it. The general feeling, however, was decidedly in favour of the measure, as a whole ; but some of its provisions were strongly objected to, particularly that making the property qualification for members £500, and which was then only £80. This clause, it was said, would disqualify one-fourth of the sitting members.\*

The Legislature assembled on the 15th of January. The Governor's speech on the occasion, beyond congratulating the House of Assembly on the success of their agent in Eng- 1823.  
land, in procuring the passage of the "Canada Trade Act," presents no features of importance. The addresses from both Houses, in reply, were mere re-echoes of the speech itself.

During the session a petition was presented from a large body of the freeholders of Lennox and Addington, praying that the recent election might be set aside, in consequence of the younger Mr Bidwell having been illegally prevented from contesting it. The petition assumed the ground that Marshall Spring Bidwell was a British subject by birth, having been born in Massachusetts while still a colony of Great Britain, and never having taken the oath of allegiance to any other Government. Bidwell was heard at the bar of the House as counsel for the petitioners ; and the matter was brought up for final consideration on the 17th of February, when it was decided by a considerable majority that the election was void and a new writ should be issued. Bidwell was subsequently defeated, after a sharply-contested election, in which the whole weight of the Family Compact was brought to bear in favour of his opponent, a Mr G. Ham, whose return, however, was said to be illegal, on the ground that the poll was closed too soon. With the exception that provision was made for an assizes twice a year in the more populous districts, there is little remarkable to distinguish the legislation of this session, and which terminated on the 19th of March.

\* See resolutions passed at a meeting in Brockville in October 1822.

During summer the project of the Welland Canal was brought before the public in a tangible shape, principally through the exertions of William Hamilton Merritt, of the Niagara district, who, from first to last, occupied a prominent position in connexion with this great national work, which has done so much for the prosperity of Canada. The son of a U. E. Loyalist, Mr Merritt served in the militia during the war of 1812-1814, and thus aided to preserve his country from the grasp of covetous American Democracy. But he ardently desired to serve his country in peaceful as well as warlike pursuits, and all its great projects of internal improvement found in him a firm supporter. The Welland Canal forms a lasting monument to his memory, and if he never had accomplished anything else, its inception would alone suffice to give him an honourable place in the annals of his country.

Beyond the agitation of this project, the journals of Upper Canada at this period record little domestic news of importance. Among their items we find that the Governor amused himself by excursions through the province, and drew for his travelling expenses on the Receiver-General; and that the presence of distress in Ireland sent many settlers hither, who were mostly located on free lands in the new townships on the Ottawa.

As winter approached, the public mind was a good deal moved by the prospect of an approaching election, in which it was evident that the Reform party would make a strong effort to obtain a majority in the House of Assembly. A decided feeling was setting in against the Family Compact. As time progressed, it became more and more plain that the Governor was the mere tool of this party, who now monopolised every post of honour and profit in the country. The opposition press, however, was remarkably quiet, having evidently the fear of Government prosecutions before its eyes, and there being no editor of sufficient talent and courage belonging to it to take the lead.

The Legislature assembled on the 11th of November. From the usual speech of the Governor it would appear that a spirit of contentment and obedience to the laws was now the characteristic of Upper Canadian society, and that the country was slowly recovering from the reaction caused by the termination of the war. But the revenue was still very far from being in a flourishing condition. He concluded by alluding to the cordial intercourse subsisting between the two Houses. The addresses in reply were couched in the customary complimentary strain. That from the Legislative Council was signed by its Speaker, William

Dummer Powell, then a prominent member of the Family Compact.

This session of the Legislature was distinguished by the effort, now made for the first time, to allow ministers of the Methodist persuasion to solemnise marriage. A bill to that effect was passed in the Assembly, but rejected in the Upper House. A most effective step was also taken towards securing a portion of the Clergy Reserves for the Presbyterian body, on the ground that these lands having been set apart for Protestants, and the Church of Scotland being acknowledged as such by the Statute Book of England, it had therefore a legal claim to its just proportion. An address based upon this principle was voted to the Imperial Parliament, alone competent to decide the issue thus raised, the Reserves provision being a part of the Constitutional Charter itself, which the local Legislature had no power to alter.

In the course of the session the election for Lennox and Addington was again declared void, and Mr Ham unseated. The Welland Canal Company was incorporated, and provision made for taking the first census of Upper Canada. The House was 1824. prorogued on the 19th of January, and the country entered upon vigorous preparation for a general election.

About this period a strong feeling against Orange processions, now becoming common in many parts of the province, began to spring into existence, and a fruitless endeavour was made to procure their suppression by legal enactment. As yet, however, these processions had been conducted with order and decorum, gave little room for complaint, and even Dr Strachan did not hesitate to act as their chaplain. A good deal of loss and inconvenience at this time was experienced by the failure of the Kingston Bank, which had been most fraudulently managed.

Parliament was dissolved on the 24th of June, and the writs for a new election made returnable on the 19th of August following. To the usual proclamation on this occasion the signature of John Beverley Robinson was appended, he being now Attorney-General.

The summer was distinguished by the formation of the Canada Land Company, a corporation at first productive of benefit, but subsequently of injury to the province, under an Imperial charter. It commenced its operations by buying up vast tracts of the Clergy Reserve and Crown lands at low prices, which it sold again in small lots at a large advance. It was, in short, a huge land monopoly; and, like all monopolies, has proved an injury to this country precisely in proportion to its extent. Thus, without once asking the

consent of the Canadian Parliament, a vast quantity of our soil was withdrawn from public purposes, and passed into the hands of private speculators of the London Stock Exchange.

1825. The new year opened with public disaster. On one of the first days of January the Parliament House at Toronto was burned down, but fortunately the library and furniture were saved. The loss to the province was estimated at £2000, a modest sum, which would be entirely insufficient for the erection of many buildings for school purposes now existing in Canada.

Parliament was convened on the 11th of January, and a good deal of interest was excited as to the composition of the Assembly. The election of Speaker tested the strength of the respective parties. John Wilson, of Wentworth, was chosen by a Reform majority of two, the vote standing twenty-one to nineteen. A plain farmer, but a man of sound common sense, calm, temperate, and dispassionate, his election was a popular one with his party. On his side voted, among others, sly and subtle John Rolph, burly Peter Perry, and the secret republican, Marshall Spring Bidwell. The Family Compact were at length in a minority. The Reformers, however, proceeded warily. The address in reply to the Governor's speech was agreed to unanimously, and couched in as complimentary language as he could desire. Still it was evident Sir Peregrine felt an apprehension of approaching trouble. He forgot to make his usual gracious reply, an honour vouchsafed to the Upper House. The long shadows of Canadian Radicalism were already settling down on his administration, and the *Colonial Advocate*, controlled by William Lyon Mackenzie, sadly disturbed his prospects of dignified repose with pungent diatribes on packed juries and government abuses, though as yet warily expressed. Even then the clouds were gathering for the storm of 1838.

Mackenzie had only been a short time in the country, where he arrived in 1820, just at the close of the Gourlay agitation. He was destined to exercise no small influence on the political future of Canada, and was indirectly one of its most important stepping-stones to the large measure of liberty and self-government which its people now enjoy. Descended from a poor Highland family of Perthshire, who, like the rest of their clan, cherished a strong affection for the Stuart dynasty, his paternal grandfather, Colin Mackenzie, joined the standard of the Pretender in 1745, and after the fatal battle of Culloden fled with him to the Continent. His mother was also a Mackenzie of the same clan; and the old family Bible records that she was married to Daniel, on the 8th of May 1794, at Dundee. Their

circumstances were of the most humble kind, and Daniel earned his daily bread as a weaver. William Lyon, their only child, was born in March 1795, and twenty-seven days afterwards lost his father in consequence of a severe cold contracted at a dancing party. Belonging to the strict Seceder Presbyterians, the widow, a woman of strong nerve and resolute will, sought to imbue her son's mind, as he grew up, with her own fervid religious impressions, and to give him the best education that her poverty, and which at times extended to a want of the actual necessities of life, would permit. If she failed in a religious point of view, she succeeded in storing his mind with a vast mass of general information, and an ardent love of liberty. But the latitude allowed him as an only child, by his widowed mother, gave Mackenzie an erratic and restless turn of mind, which seriously militated against him in after-life. After leaving school we find him, for a short time, an apprentice in a draper's shop in Dundee; next an articled clerk in the counting-room of a timber merchant of the name of Gray; and at the early age of nineteen, he appears in the small town of Alyth as the proprietor of a little shop of odds and ends and a circulating library, to become a bankrupt in the brief period of three years. In the spring of 1817, he crossed the Tweed into England, became clerk for a brief space for the Kennett and Avon Canal Company, then filled a similar office for a while in London, and finally emigrated to Canada in April 1820. His course in this country was equally as erratic and uncertain as it had been in Scotland. Of slender frame, and only five feet six inches in stature, his massive head, bald from early fever, and high and broad in the frontal region, looked far too large for the small body it surmounted. His eye clear and piercing, his firm set Scotch mouth, his chin long and broad, and the general contour of his features, made up a countenance indicative of strong will and great resolution, while the ceaseless activity of his fingers, and the perpetual twitching of the lower part of his face, betrayed that restlessness and nervousness of disposition which so darkly clouded his existence.

For a brief period Mackenzie was employed in some subordinate capacity in connexion with the survey of the Lachine Canal. We next find him keeping a small drug store in Toronto, and after a short stay there he removed to Dundas, where he and John Leslie entered into partnership to carry on the drug business, to which was added hardware, groceries, paints, and dye-stuffs, as well as a circulating library. This partnership only lasted, from some cause, for fifteen months, when he removed to Niagara. At this place he opened a general store on his own account, but, still unstable as water, he aban-

done this enterprise within a year, became a public journalist, and on the 18th May 1824 issued the first number of the *Colonial Advocate*, containing thirty-two octavo pages. In it he describes himself as an independent editor, neither rich nor in want; and gave an amusing exhibition of his eccentricity of mind by publishing twelve hundred copies without having as yet obtained a single subscriber. Its topics were varied, widely dissimilar, as might naturally be expected, and tinged with no small portion of egotism. He declared himself a Calvinist in religion, and his adherence to the Westminster Confession; approved the wisdom of the British Legislature in setting apart the Clergy Reserves for the support of the Protestant religion, but demurred to their being monopolised by the Church of England. The Executive, the Bench, the Bar, the Church, were criticised in turn, and in some cases most unfavourably. Sir Peregrine Maitland was unpleasantly contrasted with De Witt Clinton, Governor of New York State; the Legislative Council were designated as the "tools of a servile power;" and the Church and the Bar were not in the satisfactory state they should be. Finally, he averred that the Imperial Union Bill of 1818 had been rightly rejected, and the union of all the British-American provinces the only desirable one.

The very first issue of the *Advocate* awoke the greatest alarm in the minds of the Family Compact. Another prying Scotchman of the Gourlay stamp had come to disturb their repose, and their organ suggested that he should forthwith be banished the province, and the whole edition of his paper confiscated. To the charge of disloyalty Mackenzie responded, by publishing an amusing autobiography of himself, after the fashion of Cobbett, soundly berating, at the same time, Fothergill, editor of the *York Observer*, and a member of the Assembly, and John Beverly Robinson, and declaring that he would rather work for his bread than submit to the official fungi of the country, more numerous and pestilential than the marshes and quagmires that encircled Toronto.

But the storm of censure which had met the executive for its arbitrary conduct in the case of Gourlay, was too recent, and too keenly remembered, to permit of a similar course being pursued towards Mackenzie. Beyond threats and abuse from the Family Compact organ, no other attempts were made to injure him for the time being. After issuing his *Advocate* two or three times, he adopted the broadsheet as the most convenient form for a public journal, and in the November following removed to Toronto, where he speedily became noted as a grievance-monger, and a keen hunter-up of abuses in the various public departments. The Assembly

were only a few weeks in session when his petition on the subject of disorders in the Post-Office department was brought up by Matthews and McCall. His allegations were supported by the investigations of a committee. It was proved that the mail bags were often filled with goods, letters opened and mis-sent, and that it would be advisable the Provincial instead of the Imperial Government should have control of this department.

This session of Parliament was decidedly a talking one. After sitting till the 13th of April only seven bills had been passed, and, to make matters yet more uncomfortable, the annual Supply Bill, not coming up to the estimate, shared the fate of similar bills in Lower Canada, being thrown out by the Upper House. Although the finances of the province were still in a depressed condition, their "Honours" saw no necessity for retrenchment.

The first Reform Assembly did not bid fair by any means for popularity. The people's bill for legislation was even heavier than usual, and less value had been given in return. So said they of the Family Compact. This accusation aroused discussion, and it was shown that the estimates had been cut down most properly. The Attorney-General, for instance, was not content with his regular stipend, and swelled up his income by charging the public with the rent of his private office, travelling expenses, legal advice to the Lieutenant-Governor, and so forth. All of which charges, and many more like them, had been included in the estimate, although having no lawful business whatever to be there.

Summer passed rapidly away without producing disaster to dim its pleasant sunshine, or matter for the pen of the annalist. The Legislature was again convened on the 7th of November. The opening speech and the addresses in reply were longer than usual, more carefully prepared, and appeared to give satisfaction to all parties. The Lieutenant-Governor now made a courteous response to the address of the Assembly, and soon after sent them a message, pursuant to instructions from the Colonial Office, recommending that a more liberal provision be made for the naturalisation of foreigners of every description. A bill was accordingly passed for this purpose, but rejected in the Legislative Council. Resolutions were also agreed to on the expediency of excluding judges from the Executive Council, and rendering them independent of the Crown, by appointment during good conduct, as in England. An address founded on these resolutions was voted to the King.

During this session thirty-one acts were passed, one of which made provision for a bounty of £125 to every person establishing

a paper mill. But eighteen other bills were thrown out by the Legislative Council, among which was one repealing the Sedition Act, under which Gourlay had been turned out of the country. This

1826. caused a very unpleasant feeling to spread abroad. The Family Compact still held firm possession of the Legislative Council ; it also continued to grasp the entire executive control, although defeated on every important division in the Assembly.

The estimates laid before the House showed that the expenses for the current year would amount to £30,353, the revenue to £33,560 currency. Upper Canada was now in a condition to support its own civil list, and to release the Crown from all burdens on its account, presuming that due economy were exercised.

The Legislature was prorogued on the 30th of January, the usual appropriations having been first granted for the public service. In a few weeks afterwards, the Governor made a tour through a portion of the province, and was met in every direction with very flattering addresses, chiefly concocted, however, by friends of the executive. In several instances these addresses were reprobated by the opposition prints, as not correctly conveying the sentiments of the community, and for dishonestly censuring the House of Assembly.

Steamers had now become numerous on the lakes and rivers of Upper Canada ; the construction of the Welland Canal was being rapidly pushed forward ; and the building of the St Lawrence Canals had begun to be seriously agitated. Despite the very general depression in financial matters, the province was steadily progressing. The population had increased to nearly one hundred and seventy thousand souls ; while the continued stream of immigration was fast filling up the new townships.

Beyond the discussion caused by the rejection of the Alien Bill in the Legislative Council, which refused to pass it without amendments destroying its most important features, there seems to have been very little political agitation of any description at this period. Although disliked for his reserved manners, and for surrendering himself completely to the influence of the Family Compact, the Governor was generally respected. The public mind, as a rule, was contented, and the desire was to obtain redress of any existing evils solely by constitutional methods. As yet the idea of responsible government had not resolved itself into a precise form, as a public question, although, doubtless, it was already entertained by many individuals.

In those days comparatively few of the people read newspapers, which did not, therefore, by any means exercise the influence on



the public mind they do at the present day. The postage on a weekly newspaper amounted to four shillings a year, payable quarterly in advance. Post-offices were few and far between, and post-masters exceedingly lax in the performance of their duties. The pungent editorials of Mackenzie, owing to these causes, and to their being regarded as too caustic and violent, were very little felt in the community. His affairs, consequently, were far from being in a flourishing condition, and he had made up his mind to discontinue the publication of the *Advocate*, and was seriously meditating a removal to Montreal or the United States,\* when, during a temporary absence from home, his printing office was broken into by parties of respectable standing, who had taken offence at his writings, and completely wrecked, two magistrates looking coolly on. This event at once gave him a most opportune notoriety; and had the Governor countenanced the act in any way, his popularity would have been still greater. But the latter, who chanced to be absent from Toronto at the time, did nothing of the kind. On his return he promptly expressed his disapproval of the outrage, and at once dismissed one of the clerks of his own office who had acted as a sort of leader on the occasion: with the remainder of the rioters the law was quietly allowed to take its course. The Governor's conduct in this matter gave general satisfaction to the public. For the moment he became decidedly popular; and Mackenzie had not as yet the opportunity of becoming a political martyr. He sued the aggressors for damages, and on the 30th of October, despite all the eloquence of Hagerman, obtained from a special jury at Toronto a verdict in his favour for £625 damages and costs.† The suit, however, was brought for £2000, on the ground that the stoppage of his printing business occasioned him additional loss. A subscription was set on foot to pay the verdict against the rioters, and the greater part of the necessary sum was raised by this means. The parties thus escaped all punishment for the offence, a circumstance which produced a good deal of public indignation, and increased the hostile feeling against the Family Compact. Towards the close of the year the publication of the *Advocate* was resumed.

The Legislature again assembled on the 5th of December. In his speech the Governor alluded to the satisfactory progress of the province, the advanced state of its great public works, and the pros-

\* Canada as it Was, &c., vol. i. p. 121. Life and Times of Mackenzie, p. 74.

† Mackenzie subsequently admitted that the actual damage to his office was not very great, and that he had overestimated it. Vide Life and Times of Mackenzie, p. 101.

perous and contented condition of the people, all which he had personally witnessed during his recent tour. The address from the Assembly for the first time directly censured his conduct, in receiving and replying to addresses during that very tour, which reflected on their body. The Governor retorted by declaring, that in this procedure they had departed from the courtesy usual on such occasions, and stoutly maintained he had acted correctly in the premises. Trouble was evidently brewing. A Commons with sufficient courage to censure a Governor was a new thing in Upper Canada. While the Family Compact retained a majority in the House, such an occurrence had never been known.

Apart from this squabble the session passed smoothly over.

1827. Several bills were enacted. Among the rest the Naturalisation Act, which was reserved, however, by the Governor for the pleasure of the King, by whom it was rejected, much to the gratification of the bulk of the people of Canada, who thoroughly disliked it, owing to its illiberal provisions. Among others who denounced this bill was Robert Gourlay, still confined in a house of correction in London, for having assaulted Mr Brougham in the lobby of the House of Commons, and being also insane, and who continued at lucid intervals to correspond with the Upper Canadian press.

As the year progressed, owing to the exclusive claims to the Clergy Reserves put forward on behalf of the Church of England, considerable discussion was excited, and the right of the Presbyterians to a share therein very strongly urged by the friends of the Kirk, led by William Morris, member of Assembly for Lanark. The naturalisation question, also, was very actively discussed at public meetings and by the press; and it was evident that the agitation on this matter must speedily compel its settlement.

In May an occurrence took place at Niagara Falls, which created a good deal of public feeling. A reserve of one chain in breadth, along the bank of the river, had been retained by Government for military purposes. This reservation was expressly stated in the deeds to parties holding the adjoining lands.\* A person of the name of Forsyth, however, who then owned the principal inn at the Falls, and considerable landed property in the neighbourhood, enclosed the Crown reservation. This act was immediately protested against by many of the neighbouring residents, who petitioned the Governor against the encroachment on the public domain, and particularly as it left no passage open to see a part of the Falls, but one through

\* Chief-Justice Robinson to Colonel Rowan, 31st Dec. 1832.

Forsyth's own house. Captain Phillpots, the engineer officer who had the district in charge, was accordingly ordered to see that this space was kept open ; and as Forsyth refused several times to remove the fence, he directed it to be pulled down.

This conduct was loudly protested against by the Reform press, eager to seize upon anything to the prejudice of a Governor they disliked. If Forsyth, it was urged, had taken improper possession of the ground, he should be ejected by due course of law, and not by military violence. This would most undoubtedly have been the wisest course, as Forsyth was subsequently beaten in two suits, brought to recover damages from Phillpots and another person for trespass. His pretensions to the ground in dispute were likewise set aside by an action against him for intrusion, which resulted in favour of the Crown, and chiefly on the evidence of a Mr Jones, who had made the original survey. The course pursued by the Governor on this occasion was censured by the Home Government.\*

The Legislature assembled on the 15th of January ; and the Governor made his speech to an unusually thin House. In 1828. the Assembly some difficulty was experienced in collecting a quorum for the despatch of business, and which was not accomplished till the 18th. It was the last session of the eighth Parliament of the province, and members appeared to be very indifferent whether they attended or not. To judge from the newspapers of the day, many of them were too busy in canvassing for the next general election to pay much attention to legislative matters.

As the session progressed, the ill feeling towards the Governor evidently increased. His appointment of a clerk to the Assembly was regarded by that body as an interference with their privileges. Forsyth had petitioned the House for redress, and the committee selected to investigate his case thought proper to summon the Adjutant-General, Coffin, and Colonel Givens, superintendent of Indian affairs, to give evidence. The Governor directed them not to obey the mandate, on the ground that the application for their attendance should have been made in the first place to him as their superior military officer. A warrant was accordingly issued by the Assembly for their apprehension for contempt. Coffin denied admission to the Sergeant-at-arms, but the latter finally broke open the door with an axe, made him a prisoner, as well as Givens, and both, persisting in their refusal to give evidence, were committed to the common jail, where they remained till the House was prorogued. The committee reported in favour of Forsyth's petition, recom-

\* Sir G. Murray's Despatch to Sir John Colborne, 20th of Oct. 1828.

mended that he should be remunerated for the loss of his crops caused by the destruction of his fences, and denounced the conduct of the Governor as altogether too arbitrary.

A good deal of bitter discussion took place with regard to the Clergy Reserves, and a more decided opposition was shown to the admission of the Church of England's claims to their sole possession. A Naturalisation Bill was at length passed of a more liberal and satisfactory character, especially as regarded Canadian-born children of American aliens, which was reserved, nevertheless, for the consideration of the Home Government, and subsequently, on the 8th of May, assented to by the King in Council. A cause of prolonged agitation was thus finally removed. The annual Supply Bill having been voted, the Legislature was prorogued on the 25th of March.

Party spirit was now becoming more and more intense. A libel suit was commenced by the Governor, at the spring term, against Mr Collins, editor of a Toronto paper termed the *Canadian Freeman*, which was not prosecuted, however, owing to the former quitting the province on his appointment to the government of Nova Scotia. Mackenzie was also indicted for a like offence, growing out of the Forsyth petition, but his trial, as well as that of Collins, was put off to the fall term, the Attorney-General not being willing or prepared to prosecute, and finally abandoned altogether.

Collins was a man of a warm and imprudent temper, and shortly after attacked Attorney-General Robinson, on grounds connected with this pending libel suit. The latter prosecuted him for defamation at the fall term, and obtained a verdict in his favour. Collins was sentenced to one year's imprisonment, a fine of £50, and to find security for future good behaviour.

The feeling of animosity against the executive was increased by the course pursued with regard to Mr Willis, an English lawyer of eminence, recently appointed one of the judges of the Upper Canadian Court of King's Bench by the Home Government. Like Thorp, he was unwilling to identify himself with the Family Compact, and a strong feeling was soon excited against him among its members. It was consequently determined to sacrifice him on the first opportunity. His refusal to sit in term at Toronto in June, the court not being legally constituted without the Chief-Justice, (Campbell,) then absent in England, being present, offering the desired occasion, he was suspended from his office by the Governor. Mr Hagerman was temporarily appointed to the vacant post, an arrangement, however, which did not meet the approval of the Home Authorities, and Mr Macauley received the vacant judgeship.

The Colonial Office subsequently sustained Mr Willis in the course he had pursued, but admitted at the same time the Governor had not acted beyond his authority. He was not sent back to Canada, however, and a situation was provided for him in another colony.

This occurrence had a considerable influence on the elections, which again resulted in the return of a Reform majority, among whom was William Lyon Mackenzie, returned for the county of York. Sir Peregrine Maitland had now become decidedly unpopular with the Reform party, who gladly hailed his departure for the government of Nova Scotia, to which he had been appointed, and welcomed the accession of Sir John Colborne as a boon. The latter assumed direction of the administration in November, and as he was said to have received instructions to govern agreeably to a liberal policy, much was expected from him.

## CHAPTER XVIII.

UPPER CANADA FROM 1829 TO 1835.

THE ADMINISTRATION OF SIR JOHN COLBORNE.

THE new Parliament was convened on the 9th of January, and Marshall Spring Bidwell chosen Speaker of the Assembly, by a majority of three over Wilson, the Speaker of the 1829. former House. The speech of Sir John Colborne on the occasion was guarded in the extreme, and presents few features of importance. The division on the address showed that the House was almost entirely a Reform one. Its language was a direct censure on the executive, apart from the Governor. "We, his Majesty's faithful Commons," it urged, "confiding in the candour of your Excellency, and in your readiness to recognise us as constitutional advisers of the Crown, do humbly pray your Excellency against the injurious policy hitherto pursued by the Provincial Administration; and although we at present see your Excellency unhappily surrounded by the same advisers as have so deeply wounded the feelings and injured the best interests of the country, yet in the interval of any necessary change, we entertain an anxious belief, that under the auspices of your Excellency the administration of justice will rise above suspicion; the wishes and interests of the people be properly respected; and the revenues of the colony be hereafter devoted to objects of public improvement, after making provision for the public service on a basis of economy suited to the exigencies of the country." "It is less difficult," said the Governor in reply, "to discover the traces of political dissensions and local jealousies in this colony, than to efface them. I anticipate that the principles of the Constitution being kept steadily in view, and the good sense of the people, will neutralise the efforts of any interested faction."

The Governor's answer like the Delphian Oracle could be interpreted either way. The Reformers fancied it favoured themselves:

they were soon undeceived. He refused the petition of the Assembly to extend the royal clemency to Collins, who was still incarcerated. "I regret exceedingly," said he, "that the House of Assembly should have made an application to me, which the obligation I am under to support the laws, and my duty to society, forbid me, I think, to comply with." The House retorted by a resolution to the effect, "that they had not merited the imputation conveyed in his Excellency's message, and that their request was not inconsistent with the due support of the laws, and their duty to society."

Its beginning seemed to augur a stormy reign for Sir John. Mackenzie was already busy making motions for all sorts of information, as if he had even then conceived the plan of his "Grievance Report." The Family Compact chuckled over the refusal to release Collins, who had a young and helpless family to provide for; but a general feeling of indignation spread through the country, and in the town of Hamilton the Governor was hung in effigy. The exercise of clemency on this occasion would have done much to satisfy the people, and made Sir John Colborne popular; but the stern old veteran preferred what he deemed to be the path of duty to the acclamations of the crowd.

In Upper as well as in Lower Canada, Government still retained the casual and territorial revenues; and these, in addition to a permanent grant of £2500 made several years previously, had now increased sufficiently to make the executive completely independent of the Assembly, as regarded an annual vote for the civil list. Strong resolutions were passed against this condition of things in the House, and a firm determination evinced to acquire control of all the provincial revenues.\*

An address was voted to the Crown, setting forth the impure administration of justice in the province, and praying that judges should be made independent of the executive, and Mr Willis restored. With very trifling difference the reformers of Upper Canada and the anti-executive party of the lower province now sought the attainment of the same objects, but for very different ulterior ends. One desired social progress and greater constitutional liberty in the movement; the other embarked in it with a view to acquire power in order to make their province more exclusively a French colony.

During this session of Parliament, which terminated on the 20th of

\* The public revenue of Upper Canada at this period amounted to £112,166, 13s. 4d. Of this amount £75,000 had been contracted for the building of the Welland Canal.

March, twenty-one of the bills passed in the Assembly were thrown out in the Upper House, which showed the little cordiality subsisting between the two bodies. Among those rejected in this way was an act repealing that granting the £2500 in aid of the civil list. The province now presented the unconstitutional spectacle of a Government requiring no moneys from the Assembly, and a Legislative Council of a totally different political complexion from the popular branch of the Legislature. No restraint could now be imposed on the executive by an annual vote of supplies. It was completely independent of the people.

The British House of Commons had scarcely recovered from the excitement consequent on passing the Emancipation Bill, when we find Mr Stanley, afterwards Earl of Derby, presenting a petition there, from three thousand one hundred and ten inhabitants of Toronto, praying that judges in Upper Canada might be placed on the same permanent footing as in the mother-country. "The petitioners went on to hope," said he, "that they might have a *local* and *responsible* administration." And thus, for the first time, the question of "Responsible Government" in Upper Canada loomed distinctly on the public view, as the great panacea for its many evils. In Lower Canada, the popular party sought to carry out their purposes by having an elective Legislative Council, which they knew very well they could construct as they pleased. In Upper Canada the same party felt that if they had the executive power in their hands, they could very readily coerce the Upper House into their measures. Unlike the French, they sought the triumph of constitutional principles, and not of a race.

Towards the latter end of July, the elevation of the Attorney-General, John Beverly Robinson, to be Chief-Justice, created a vacancy in the representation of Toronto; and, for the first time, Robert Baldwin, now thirty-five years of age, appeared prominently before the public as a candidate for the suffrages of the electors. Destined to fill a conspicuous position in the annals of his native country, he merits more than a passing notice. Descended from a respectable Irish family, the Baldwins of Summer Hill, county of Cork, his father, a medical man, immigrated to this country in 1798, while the rebellion still raged, and settled in the township of Clarke, on Lake Ontario. The family subsequently removed to Toronto, where Robert, named after his paternal grandfather, was born in 1804. Here Dr Baldwin discarded the practice of medicine for that of law. Of respectable abilities, and great integrity of purpose, he soon came to be regarded with much respect by the public, especially that part



of it attached to popular liberty, and was chosen to represent the county of Norfolk in the Assembly. He died in 1844, six months after he had been called to the Legislative Council by his sovereign; and the eloquent pen of Francis Hincks paid a fitting tribute to his memory. "Our country has lost a friend," he wrote, "and will follow him as mourners to the grave. By the removal of one so worthy, so disinterested, so excellent, we have sustained a loss the magnitude of which it is difficult to appreciate, much more in this community to repair." And the son was eminently like the father. No public man in Canada has ever commanded more general respect than Robert Baldwin; and his opponents, while combating his opinions or traversing his policy, bowed to his integrity and personal worth. Nor did he owe his great reputation to his popular manners, or the easiness with which he could move the multitude. Naturally of a mild and affable disposition, he rather shunned than courted the popular applause, and ever disdained to bend to those petty arts which inferior men find so indispensable to success in dealing with the public. To Robert Baldwin, Canada owes a perpetual debt of gratitude. An able lawyer, well acquainted with precedent, possessed of wealth which placed him alike above all temptation to profit by his position, and the breath of calumny; of sterling honesty and singleness of purpose, he was the man precisely to lead his country safely through a great constitutional crisis into an era of larger and more matured liberty. Eschewing the licence of extreme democracy on one hand, and opposed to unconstitutional executive pretension on the other, he persevered in his efforts for responsible government—for a ministry based on a Parliamentary majority—until he met with the most ample success. Toronto did not hesitate to respond to his appeal, and elected him as its representative, in the room of John Beverly Robinson, the leading mind of the Family Compact, ninety-two votes being recorded for him, against fifty-one given to his opponent, a clever lawyer of the name of Small. Mackenzie supported Robert Baldwin, attacked the professional character of his opponent, and so got himself into a libel suit.

As the summer progressed, the Governor made a tour of the province in order to become better acquainted with its people and physical resources. Numerous addresses were presented to him, as he progressed from town to town, and settlement to settlement; but the honest old soldier was no courtier, did not evidently understand those kind of things, and his invariable blunt reply was, "I receive your address with much satisfaction, and I thank you for your congratulations." A censorious Assembly would find it a difficult matter

to quarrel with a speech of this stamp. He had scarcely returned from his tour, when the hearts of the people were gladdened by the news that George IV. had not only directed the release of Collins, but also remitted the fine and bail imposed by the court, in response to a petition from the House of Assembly, who found more grace with the King than in the eyes of his Governor. Shortly after this event, we find Egerton Ryerson issuing the prospectus of the *Christian Guardian*, a religious journal in the interests of the Wesleyan Methodists. It made the fourteenth newspaper then published in Upper Canada, and still progresses in an honourable and useful existence.

On the 30th of November the Welland Canal was formally opened for navigation, and sloops could now descend from the waters of Erie to those of Ontario. It was a gigantic work, undertaken when the province was thinly populated and its people poor, and gave a great impetus to the progress of the country. It benefited northern New York equally with Canada, and gave a new impulse to the commercial prosperity of Oswego and Ogdensburg. The Rideau Canal, a work undertaken by the Imperial Government to connect the Ottawa River with Lake Ontario, and so form a safe military route from Montreal to Kingston, was now being pushed rapidly forward towards completion, and steamers would soon be able to ascend from tide water to the great lakes.

When the Legislature assembled on the 8th of January, the Governor informed the House that not only had the  
1830. revenue at the disposal of the Crown been sufficient to pay the civil list, but a considerable balance was now at their disposal. The Assembly, in their reply, asserted their right to the control of the imperial duties levied under the 14th Geo. III., and to the disposal also of the other resources of the province. They likewise expressed a solicitude for the pure administration of justice, and did not hesitate to ask for the dismissal of the ministry. "Gentlemen of the House of Assembly," said the General in answer, "I thank you for your address."

The legislation during this session was of a common-place description, and if the fact is excepted that forty bills passed in the Assembly were thrown out in the Upper House, there was little to distinguish it. Still some useful bills were placed on the statute-book. Among these was one for the long-expected remuneration of war losses; another for the repair of roads; and a third granting a loan for the completion of the Welland Canal, not yet entirely finished, some of the locks having given way.

During the earlier part of the summer there were few subjects broached to agitate the public mind, and the bulk of the people in the rural districts turned their attention to the formation of agricultural societies, and the furtherance of their welfare, aside from politics. The death of George IV., and the consequent dissolution of the Assembly, again produced political excitement, and the country prepared for a general election, which took place in the month of October. Its result showed that a new epoch had arisen in Upper Canada.

Prior to the war of 1812, what might properly be called political parties did not exist in the province. The existence of a Reform party proper cannot be traced further back than 1820, when it had its origin in the endeavour to remove existing abuses, the desire to procure the promised grants of lands for the militia, and the agitation aroused by the advent of the eccentric Gourlay. During the next ten years, the line of demarcation between the Family Compact and the Reform party was distinctly and broadly drawn. From the close of Simcoe's administration to 1820, the Compact held a firm and almost unquestioned grasp of the administrative power of the province. Receiving at times fresh accessions to their numbers, they established themselves in nearly all the highest public offices, maintained a decided influence in the Executive Council, and by wielding the whole powers of government, and thus having the patronage of all the petty posts throughout the province, they long preserved their influence in both branches of the Legislature, but particularly in the Upper House, and where until the Union they continued to hold supreme sway. From Hunter to Colborne, successive Governors in their turn either at once submitted to their influence, or were compelled to do so, after a short and unavailing struggle. The Bench, the Magistracy, the high offices of the Church of England, were filled by their adherents, who were also numerous among the members of the Bar. By grants or purchase this party had likewise acquired the bulk of the best-located wild lands, and were all-powerful in the chartered banks, in which they shared among themselves nearly all the offices of trust and profit.\*

For a period of over thirty years, the prominent characteristics of the Family Compact had varied very little, if at all. Originally formed by the majority of the leading men of the U. E. Loyalist emigration, by half-pay British officers, and by other settlers of the same aristocratic pretensions, they continued to admit fresh accessions to their number of this description of persons only, and thus

\* Lord Durham's Report, p. 56.

preserved their exclusive character. While they desired to acquire adherents among what they deemed the common people, they did so merely for the purpose of strengthening and perpetuating their own position, and carefully excluded them from their inner circle, and from participation in all real power. Devotedly loyal to the Crown, attached to monarchical institutions as the source from whence sprung their own oligarchical position, originally better educated, and possessed of more talent and more wealth than the rest of the community, they presented the aspect of an exclusive Tory school, long scouted in Great Britain for its illiberality, and consigned to merited political oblivion.

On the other hand, the Reform party was at first composed of a part of the U. E. Loyalists, and the bulk of the immigrants from the United States who had settled in the province before the war of 1812 to escape high taxation and improve their fortunes. Many of the latter were shrewd practical men, familiar with the disputes which led to the American War of Independence, and soon desired a larger measure of constitutional liberty than existed in the land of their adoption. Few, if indeed any, of these had quit the United States because they disliked their constitution; and not finding political matters suited to their wishes in this country, they naturally considered that a monarchical form of government must be necessarily arbitrary, regarded republican institutions as the only liberal ones, and desired to see them established in Canada. Up to 1826 this class of persons formed fully one-third of the Reform party, and consequently in many of its movements a covert though very guarded leaning to republicanism can distinctly be traced. Like the Family Compact, it also betrayed in its political conduct a jealousy of the new immigrants, and a wish to maintain the powers of office, and the emoluments of the professions, in the hands of persons born or long resident in the colony.\*

Subsequent to 1826 the large British immigration which poured continuously into Upper Canada, and which, in 1831, had swelled its population to over a quarter of a million, produced a complete change in political parties. While the recent immigrants took different sides in politics—while one class, among whom was a large proportion of the Irish Roman Catholics, arranged themselves on the side of Reform; and another class, which embraced the great bulk of Irish Protestants, stood up in partial opposition—all, as a rule, were decidedly British in their feelings and predilections, and had little sympathy with the republican institutions of the United States.

\* Lord Durham's Report, p. 59.

This immigration did not strengthen the Reform party as speedily as it did their opponents. They had a more decided dislike to strangers, and as they considered they had still a majority of votes in the different electoral districts, they were unwilling to unite themselves closely to, or avail themselves of the aid of, Irish Reformers. On the other hand, the sturdy and independent conduct of Sir John Colborne made the members of the Family Compact tremble for their influence; and they saw that unless they obtained a majority in the Assembly, and thus showed they were popular with the people, they could not long hope to preserve their influence in the Legislative and Executive Councils. They accordingly disguised their dislike of immigrants, and courted their support. But Irish and English Protestants were a well-informed body of persons; few who could not read and write; they loved constitutional liberty as a general principle, while they eschewed republicanism in the abstract; were not opposed by any means to rational reform; and had not forgotten the revolution of 1688, which freed them from Toryism of the extreme school. Hence, they did not now feel very much disposed to support the undue pretensions of the Family Compact. They had leaders of their own, too, who declined to be the tools of the men in power, and sought place and power for themselves, by the suffrages of immigrants like themselves; and who, if they served the old Tory party of Canada, expected that the old Tory party should serve them in turn. From these causes gradually arose the Conservative party of Canada West, and which soon absorbed the entire Family Compact in its ranks, or pushed it out of the way.

Thus, we see that during the period between 1826 and 1831 the two great political parties of this country were completely reconstructed, and the republican element in the Reform party reduced to a mere fractional proportion. From that day to this, the causes which produced this change have been constantly at work. Immigration has steadily continued to flow into Canada from the mother country, and the great mass of its people are now sincerely attached to constitutional monarchy. Settlers from the United States find every liberty they can desire, soon learn to pray for the Queen and constituted authorities, are fused into the great mass of the people, and, as a rule, become excellent citizens. After 1826 Reformers and Conservatives of talent and education poured into the province from all directions. The press grew able and enlightened; both parties became more national, more patriotic, and more conducive to the development of rational liberty. The full force of progress and intelligence swept away monopolies and abuses one after another,

and made Canada what she is to-day, one of the freest and most contented countries in the world.

From the circumstances just noticed, as well as from the fact that several of the constituencies were desirous to try what a Tory Assembly (the Conservative party not yet taking the lead) would accomplish for the country, the Reform party, on the close of the general election of 1830, found itself in a decided minority. Toronto returned a member of the Family Compact in William B. Jarvis, and the elder Baldwin no longer sat for Norfolk. When the Legislature assembled on the 8th of January, their opponents  
1831. were able to appoint a Speaker, Archibald McLean of Stormont, from their own body by a vote of twenty-seven to fifteen.

There is little upon the statute-book to distinguish this session, beyond an act granting £6500 sterling in perpetuity to the Government, to pay the salaries of the Lieutenant-Governor, the three judges, the Attorney and Solicitor-Generals, and the five executive councillors, in return for the Crown ceding to the Legislature the control of the imperial duties of the province, now amounting annually to about £11,000 sterling. Thus one cause of public dissatisfaction was removed. The opposition press grumbled a good deal about not making the grant an annual one. But Parliament acted wisely in meeting the liberal action of the Crown in a corresponding spirit.

Mackenzie had been excessively busy during the session, and was a thorn deep in the flesh of the majority. The House had scarcely well settled itself to business, when he moved a resolution denying the right of the executive to appoint its chaplain. But three-fourths of the Assembly decided "that the question be not put;" and a subsequent resolution, that the various ministers of Toronto be requested to say prayers in turn during the session, met with no better success. In the course of the debate, Solicitor-General Hagerman threatened the House with confusion if they ventured to oppose the wishes of the Governor, while Attorney-General Boulton likened its assumption to appoint its own chaplain to the assassin who gave exercise to the brutal forces of his nature in shooting down a man in the street; and the majority tamely accepted the illogical argument, and bowed like cravens before the menace. It was quite evident, however, that the Reform party had lost its influence in the House, and that Mackenzie could not sway the latter as in the preceding Parliament. He speedily sought to take his revenge, by moving for a committee of inquiry on the state of the legislative representation in the province. It could not well be worse. When he rose

to address the House in support of his motion, a collector of customs sat at his elbow ; the speaker held the office of Clerk of the Crown in the town of Cornwall ; six postmasters occupied seats in the Assembly, and which also embraced a sheriff, inspectors of tavern and distillery licences, county registrars, and a revenue commissioner. Mackenzie forcibly urged that his colleague and himself, with the member for Lanark, represented a larger number of persons than fifteen other members ; that the House had more than one member whose whole constituency did not number thirty votes all told ; and that the county of York (for half of which he sat) contained more inhabitants than Hastings, Dundas, Haldimand, Niagara, and Brockville. A majority of the whole House represented less than a third of the entire population, and if property were considered as an electoral basis, the matter would be still worse. His arguments so alarmed the Assembly, that they finally agreed to grant the committee asked for, on a vote of twenty-eight to eleven, and even allowed him to nominate its members, amid the applause of the spectators in the gallery—no unusual occurrence in those days. Nor was Mackenzie satisfied with this success, and now applied himself resolutely to harass the majority at every opportunity. Pension lists, fees, official salaries and rewards, were one and all assailed, and a stinging attack made on the management of the Bank of Upper Canada, even then in incipient preparation for its ultimate failure. Mackenzie insisted on regular returns of its condition being made public, and ultimately carried his point, despite the strenuous opposition of its solicitor, Attorney-General Boulton.

There was no repose for the Family Compact ; and the policy of "Responsible Government," now clearly limned out by Mackenzie, began to settle its unpleasant shadows upon them. As the session progressed they became more and more furious, and determined to get rid in some way of the man who gave them so much trouble. The fact of his having circulated some copies of the journals of the House, was seized upon as constituting a breach of privilege, although reports of the proceedings were now constantly published in the Toronto newspapers. A select committee of inquiry, composed of the Attorney-General, Allan MacNab, and three others, reported that William Lyon Mackenzie, printer, employed to print the journals of the House, had abused the trust reposed in him, by distributing part of the same among individuals not entitled to receive copies thereof, for political purposes. On this report MacNab founded a motion of breach of privileges, with a view to Mackenzie's expulsion. But the discreditable plot failed, the vote standing twenty

against the motion, to fifteen for it, although the names of the Attorney and Solicitor-Generals figured in the minority.

During the recess of the Legislature, Mackenzie was particularly active in the agitation for reform. In the middle of July he issued, in temperate language, a call for a series of public meetings throughout the country, to petition King William and the imperial Parliament against the abuses of power by the authorities of the province. He attended many of those meetings in person, and did not hesitate to assail the Family Compact even in their great strongholds of Brockville and Cornwall. The success of his mode of agitation was very great. The petition adopted in Toronto became the basis of all the others memorials and in which a well-defined demand for responsible government found a place. In addition, the King was asked to give the Legislative Assembly the full control of all the revenues of the province, and the disposal of the public lands; to permit the secularisation of the Clergy Reserves; the establishment of municipal councils, law reform, the power to impeach public servants, the exclusion of judges and clergymen from Parliament, and the abolition of the right of primogeniture. Each and all of those prayers have long since become the law of the land, to be transmitted as the heir-loom of freedom to posterity. The aggregate signatures appended to those petitions were nearly twenty-five thousand, a prodigious number, considering the sparse population of the province, and the hostility of the Family Compact.\*

The Legislature was again convened on the 17th of November, and matters proceeded somewhat peaceably for a brief space; but the majority had not abated their intense dislike towards Mackenzie, and merely awaited a favourable opportunity to wreak their vengeance upon him. The occasion sought for soon presented itself. A caustic article in the *Colonial Advocate* of the 24th November, relative to the cavalier manner in which the people's petitions for reform were treated by the House, and another article in the issue of the succeeding week, reflecting, in severe and injudicious terms, on the character of its majority, on motion of James H. Samson, member for Hastings, and Hugh C. Thomson, proprietor of the *Kingston Herald*, were voted "gross, scandalous, and malicious libels, a breach of privilege; and that Mackenzie, having avowed their authorship, be called on for his defence." But, in the present temper of the majority, no defence could avail their victim; so, on the 9th of December, the House, acting as accuser, judge, and jury, declared him guilty of libel, by a vote of twenty-seven to fifteen. Three days

\* Life and Times of Mackenzie, vol. i. p. 203.



afterwards they followed up this action by declaring that his defence aggravated his original misconduct, and expelled him from the House, on a vote of twenty-four to fifteen, four of the official party purposely absenting themselves. During the debate Attorney-General Boulton, who acted as a sort of prosecuting counsel against Mackenzie, truculently described him as a reptile, while Solicitor-General Hagerman facetiously varied the description to a spaniel dog. Short-sighted majority! they were unwittingly digging their own graves, and converting the imprudent and erratic Highlander into a popular martyr, and the idol of the people. While the House still debated his case, public indignation arose to fever heat, and several petitions, numerous signed, were presented to the Governor, asking him to dissolve a body tainted with the worst vices of judicial partiality. On the day of his expulsion nine hundred and thirty of the petitioners proceeded in a body to Government House, to get his Excellency's reply. It was curt in the extreme, and was—"Gentlemen, I have received the petition of the inhabitants." But he was prepared to answer them in a still more stern manner, if their number and excitement should have led them into a riot. Artillerymen stood at the moment to their loaded guns, and the troops had been served with a double allowance of ball cartridge, and held ready for service at a moment's notice. But the crowd departed peaceably, and on their way to do homage to Mackenzie at his dwelling, they stopped to hoot at the Parliament House, and to cheer opposite the office of the *Guardian* newspaper, in which the pen of its editor, Egerton Ryerson, had warmly espoused the cause of their idol. The Family Compact quailed at these popular demonstrations in behalf of a man they dreaded so much; and in the House sought to make some amends for his expulsion, by voting an address to the Crown, praying that the Clergy Reserves might be sold, and the proceeds applied to the purposes of education. This was a large bid for popularity, and in the hope that it might not pass without effect, a new writ for the county of York was directed to be issued.

The new election took place on the 2d of January. Two thousand persons crowded to the polling place, the Red Lion Inn, to witness the proceedings. Forty sleighs escorted Mac- 1832.  
kenzie thither, and in an hour and a half after the poll opened, he had received one hundred and nineteen votes, while one only had been recorded for his opponent, Street, and who now abandoned the hopeless contest. And then came the presentation of a gold medal, value sixty pounds. On one side were the rose, the thistle, and the shamrock, encircled by the words, "His Majesty King

William, the People's Friend :” on the reverse, “ Presented to William L. Mackenzie, Esq., by his constituents of York, U. C., as a token of their approbation of his political career, Jan. 2d, 1832.”

But the majority of the Assembly had as yet learned nothing from experience. A vast crowd accompanied Mackenzie to the Parliament building, into which not a few forced their way, to hear a motion made for the second expulsion of Mackenzie, while he still waited below the bar of the House to be sworn in. But the motion was lost by a majority of four. New cause for expulsion was found, three days afterwards, in an article in the *Colonial Advocate*, and this cause was simply an almost naked recital of facts. After a hurried and scandalous trial, Mackenzie was now expelled a second time, and declared ineligible to sit in the existing Assembly. The excitement increased, and the Legislative Council also declared itself libelled by the *Advocate*, and prayed the protection of the Lower House.

Public meetings were now held in every direction, at which resolutions were passed favourable to the liberty of the press, and condemning the course of the majority in the Assembly. The Reform party were thoroughly aroused, became willing to acquire all the support they could, and exhibited a decided inclination to incorporate as many of the recent emigrants into their ranks as possible.

Towards the close of the session, a message from the Governor stated that the Home Ministry admitted the Church of Scotland in Canada had a right to share in the Clergy Reserve lands. But no action was taken upon it, and the Legislature was prorogued on the 28th of January. Seven days afterwards Mackenzie was again elected for the county of York, by an immense majority over two other candidates. He was now decidedly the most popular man in the province, and was chosen to act as agent by a large meeting held at Toronto to support the petitions for the redress of grievances to be laid before the King. Some of these prayed that a new Provincial Parliament might be called, as the present members did not represent the people, that the Legislative Council might be made elective, the Lieutenant-Governor removed, the Bank of Upper Canada prevented from becoming a moneyed monopoly dangerous to popular liberty, and that a favourable answer might be returned to previous petitions asking for a more equal representation, many of the borough towns being very small. The promotion of education was also requested, the proper expenditure of the public revenue, and the regulation of the land-granting department. All these evils

complained of were capable of constitutional settlement, and afforded slender pretext for revolution. Unlike the Papineau faction, the Reform party of Upper Canada had no disposition to hunt up new grievances as old ones were removed; and had no desire, as a general rule, to push matters to an extreme point, with an ulterior aim to a total independence of the mother-country. Mackenzie, after a narrow escape from being murdered, sailed for England in the month of April, and arrived there safely on the 1st of May.

The summer of this year was not distinguished by much political agitation. A numerous immigration crowded up the St Lawrence to establish itself in the new townships, and swell the population of the province. It was a sad season for the poor fugitive from fatherland. The Asiatic Cholera was sweeping with its deadly plague-breath over affrighted Europe, and decimating the terror-stricken passengers of the crowded and ill-ventilated emigrant ships. With the first sunny days of spring it established itself in Quebec and Montreal, the great outlets of Canadian commerce, and from thence passed up the St Lawrence, and round the shores of Ontario and Erie, carrying death and dismay into all the frontier towns and hamlets of the country. Until the scourge passed almost entirely away with the cool days of October, the terrible word "cholera" stared at one continually from all the public prints, and mingled with the matin and vesper orisons of the prayerful.

The Legislature assembled on the 31st of October. In his opening address, the Governor alluded to the rapid increase of population by immigration,\* the completion of the Rideau canal, and the almost complete disappearance of cholera. Mr Mackenzie still continued absent in England, and was busily engaged in attracting the attention of the Colonial Office, now controlled by Lord Goderich, to the affairs of the province. One of the first measures of the session was his third expulsion from the Assembly. But he was again re-elected by acclamation, no other candidate presenting himself, and the same day the first political Reform union of Upper Canada was organised, on a basis proposed by Dr Morrison.

Five times, altogether, was Mackenzie expelled by the Family Compact majority of the Assembly, to be as often re-elected. The Home Government disapproved of their conduct in this respect. It was decidedly opposed to its Whig policy, to <sup>1833.</sup> the principles of Reform professed by the Imperial Parliament, and

\* As a proof of the respectability of this immigration 300,000 sovereigns were deposited during the summer in the Bank of Upper Canada.—*New York Albion*, October 1832.

although averse to complying with all the prayers of the petitions, for which Mackenzie acted as agent, the latter had the satisfaction of seeing Attorney-General Boulton and Solicitor-General Hagerman deprived of their situations for aiding prominently in his frequent expulsion. Hagerman, however, proceeding promptly to England, soon procured his own restoration to office, while Boulton  
 1834. got a judgeship in Newfoundland, where he soon embroiled himself with a large section of the population, and was finally dismissed from all employment by the Imperial Government.\*

These occurrences added largely to the intensity of party spirit, and the agitation which they aroused reacted to some extent on the Legislature, which this year passed the long and much desired act making the judges independent of the Crown, and enabling them to hold their office for life, provided they behaved themselves properly. This act also declared both branches of the Legislature a competent court to try impeachments against judges, giving, however, a right of appeal to the King in Council. Thus one serious and long-standing abuse was removed, and the flagrant case of a Thorp or a Willis could never again occur in Upper Canada. In the November of this year Mackenzie discontinued the publication of his *Colonial Advocate*.

The approaching election was productive of a larger amount of political excitement, than any similar event had hitherto produced in the province. The almost unlooked-for majority which the Family Compact had acquired in the late Assembly, led them to make great exertions to secure the same preponderance in the ensuing one. But their arbitrary course with regard to Mackenzie had lost them many friends. Nor did their conduct otherwise satisfy many of the new immigrant electors, and it was evident, as the struggle drew near, that their prospects of success were extremely slight. Taught by experience, the Reform party sedulously courted the support of the Irish Roman Catholics, as well as of all those whom they imagined were most likely to assist them, and exerted themselves so effectually that they secured a majority of ten in a House of fifty-eight members. Mackenzie was again returned triumphantly

1835. for the county of York, and Marshall S. Bidwell, when the Legislature assembled on the 14th of January, was a second time elected Speaker of the Assembly. The result of this election may be regarded as the last knell of the Family Compact. A new party, who disclaimed its extreme political doctrines, denied its exclusive right to office, maintained that preferment should be open to

all men of talent, and was not opposed to measures of necessary Reform, while, at the same time, it was sincerely attached to British connexion, was now rapidly springing into political importance. This party disclaimed alike the name of Family Compact or Tory, and called itself Conservative. Its principles differed as widely from those of the Family Compact as the principles of the Reform party of the present day, and whose existence commenced in 1831, differ from the extreme Radical and revolutionary theories of the Rolph and Bidwell school of 1837-8.

The first session of the twelfth Parliament of Upper Canada is particularly distinguished for its famous "Seventh Grievance Report," concocted chiefly by Mackenzie and Dr Morrison. This report is a temperate and truthful document, in which the impartial reader can find very little to quarrel with. After making due allowance for the natural desire to reduce political foes in public estimation, all lovers of rational liberty will admit that many grievances are therein set forth, which required constitutional remedy; and a feeling of regret must arise, that any other than constitutional means were ever resorted to by way of obtaining redress. Twenty-one out of its forty-eight pages\* were devoted to the question of responsible government, to procure which the members of the Reform party were now concentrating all their exertions, sensible that if they once could control the Executive Council the Legislative Council must speedily adapt itself to their views.

The great change in the political opinions of Great Britain, and the moderate and more rational tone which now began to pervade parties there, led to the supposition in Upper Canada, that the High Church party could not much longer maintain its exclusive claims to the Clergy Reserve lands; and that, agreeable to the original statute setting them apart, they must be soon divided among other Protestant denominations, or diverted to the purposes of education. The executive accordingly determined, while they had yet the power, to make provision for the maintenance of the Church of England. Fifty-seven rectories were set apart from the Clergy Reserves, and put in possession of ministers, with the view of giving them a personal interest in the lands, and thus, as it was supposed, preventing them from being ousted by legal enactment.†

\* This is the extent of the report proper. It is accompanied, however, by a large mass of other and very useful information of some 450 pages.

† The Trinity Episcopal Corporation of New York acquired their property also from the Crown before the American Revolution, and still retain possession of it owing to the decision of the Supreme Court of the United States.

This procedure produced a large amount of ill feeling towards the executive among the opposition, and a very violent spirit manifested itself on different occasions. In Toronto, which had now expanded into a city, of which Mackenzie moreover was mayor, quarrels took place between the military and the refuse of the Reform party, which created a good deal of unpleasantness. The soldiers, too, were tampered with,\* but evidently more with the view of annoying the Governor, than with any ulterior design to rebellion.

Such was the unpleasant condition of Upper Canada, when the Colonial Office, now pledged to a policy of conciliation, and satisfied that Sir John Colborne would not compromise himself by carrying it out, determined to recall him, agreeable to his own request, and appoint Sir Francis Bond Head as his successor.

\* Canada, as it Was, &c., vol. i. p. 188-190.

## CHAPTER XIX.

LOWER CANADA FROM 1828 TO 1837.

THE GOVERNMENT OF SIR JAMES KEMPT.

LIEUTENANT-GENERAL SIR JAMES KEMPT, selected by Mr Huskisson to succeed Lord Dalhousie in the government of Lower Canada, was already well acquainted with that province. During Sir James H. Craig's administration he had been Quarter-Master General of the army in this country, and came out hither again in 1814 as a general of brigade. His recent direction of the government of Nova Scotia had given him, in addition, considerable experience in colonial affairs. Great reliance was accordingly placed on his tact and prudence by the Colonial Office, which confidently anticipated his administration would relieve it from the embarrassing position in which it was now placed by the unsatisfactory condition of things in Lower Canada.

In pursuance of the conciliatory policy now proposed to be adopted, Papineau, on the Legislature assembling in November, was confirmed in the Speakership of the Assembly. Nothing was effected, however, towards arranging the financial disputes between the Crown and the Lower House, who again voted a supply bill in a manner which asserted their claim to the entire control of all provincial moneys. The supply bill for 1829 was also voted in the same way, and both narrowly escaped being lost in the Legislative Council. Complaints continued to be made against judges, and Wolfred Nelson, returned for William Henry, protested against the conduct of Attorney-General James Stuart, his opponent at the recent election, as wholly unbecoming an officer of the Crown. Robert Christie, the member for Gaspé, and chairman of the Quarter Sessions for the District of Quebec, was expelled the House, principally on the ground of his having procured the dismissal from the magistracy of members of the

Assembly who had voted contrary to the wishes of the executive. He was also accused of abusing his position as a member of the House, by making Government aware of the votes and conduct generally of the leading men of the opposition, a system of espionage which was voted to be a gross breach of privilege. He was subsequently re-elected and expelled several times for similar causes.

During the session grievance-petitions poured in from various quarters, which were referred to a committee appointed for their investigation. The report of this committee, adopted by the Assembly, recommended the settlement of the financial question on a permanent and economical basis, the independence of judges, and their removal from political business, the proper accountability of public officers, a reconstruction of the Legislative Council to make it act more harmoniously with the popular House, the application of the Jesuits' Estates to educational purposes, and the removal of all obstructions to the settlement of the country, particularly the Crown and Clergy Reserve lands remaining unoccupied in the neighbourhood of roads and settlements, and exempt from the common burthens. This session was also distinguished by an act increasing the representation of the province to eighty-four members.

During the ensuing session of the Legislature, financial matters remained in the same condition. The Governor informed the

1830. Assembly, that an act of the Imperial Parliament was necessary to give it the control of the casual and territorial revenues of the Crown, and until that right was conceded, no permanent arrangements for the civil list could be made with constitutional propriety. He thus ignored the position, on this point, assumed by his predecessors. The supply bill voted for the year amounted to £62,250 sterling, but was nevertheless £7500 short of the estimates, the Assembly cutting off several items, and among others the salaries of the chairmen of the Quarter Sessions for the Districts of Montreal, Three Rivers, and Quebec. The bill had a narrow escape in the Upper House, seven voting for it and seven against it, among whom was the Speaker, Chief-Justice Sewell. He insisted he had a right to one vote as speaker, and to another vote as councillor, and thus managed to carry the measure. The legality of his procedure was very properly questioned. Several liberal appropriations were made for public purposes.

Although dissatisfied with the conduct of the Assembly, in not



voting the entire amount of the estimates, Sir James Kempt steadily pursued his policy of conciliation. The magistrates dismissed by his predecessor were restored to office, as well as the cashiered officers of militia. He added new and more popular members to the Executive Council, and requested the judges to retire from the Legislative Council.\* This the latter refused to do, although they promised to take no part in its deliberations. With the carrying out of these measures terminated Sir James Kempt's administration, to the great regret of a large majority of the people, Lord Aylmer having been appointed as his successor by the Whigs.

#### THE GOVERNMENT OF GENERAL LORD AYLMER.

The new Governor-in-Chief arrived out in October, and immediately assumed charge of the administration of affairs. The general election, consequent on the death of George IV., had made no change in the condition of parties in the 1831. Assembly, and Papineau was again elected Speaker, and confirmed in that office by the Governor.

Shortly after the commencement of the session, Lord Aylmer announced in a message to the Assembly that a bill would be introduced into the Imperial Parliament by the British ministry, securing to the Colonial Legislature the control of the Crown duties and other revenue, amounting to £38,000 sterling per annum, provided it guaranteed a civil list during the King's life, as had been done in England, of £19,000 a year. The timber duties, and other casual and territorial revenue, creating an annual fund of £11,231 a year, were to remain, however, at the disposal of the Crown. This offer was rejected by the Assembly, who, on every fresh concession being made, appeared only more determined to obtain control over every branch of the public revenue, and now passed a strong resolution to that effect. They next agreed to a series of resolutions detailing the several public grievances complained of. On these, petitions to the Crown and Imperial Parliament for redress were based, which the Governor was requested, by a deputation of the House, to transmit to England. This he promised to do, expressing a hope, at the same time, that they contained all the grievances to be redressed, and that nothing of the kind would be afterwards brought forward. During this session provision was made, for the first time, to pay members of Assembly the expenses incurred in attending the Legislature.

As the year progressed, the newspaper, *La Canadien*, which had

\* Martin's British North America, p. 25.

given so much trouble to Sir James H. Craig, was again established; the Chambly Canal was commenced; and a vast immigration, chiefly from Ireland, of over fifty thousand souls, passed up the St Lawrence, like a disorganised army, leaving the inhabitants to provide for the sick and wounded, and to bury the dead.\* During the season of navigation one thousand and sixteen vessels arrived at Quebec, trade and commerce continued to increase, the province had now a large surplus revenue, and the population of what was once Champlain's little colony of fifty souls, had, as regarded Lower Canada alone, swelled up to over five hundred thousand human beings.

Despite the unfavourable action of the Assembly on the question of a permanent civil list, a bill was introduced by Lord Howick, Under Secretary for the Colonies, into the British Parliament, handing over to the control of the Lower Canadian Legislature the imperial duties levied agreeable to 14th Geo. III., chap. 88, under the belief that this course would still be met by the latter in a corresponding spirit of liberality. This act passed both Houses of Parliament, and was assented to by the King. In its passage through the Lords it was protested against by the Duke of Wellington. In addition to this important concession the grievance-petitions were replied to in the most conciliatory spirit, the control of the Jesuits' Estates handed over to the Assembly, who might now devote them to purposes of education, and the assent of the Crown given to the appointment of judges for life, and to removing them altogether from the political arena. It was, therefore, confidently hoped that the long-pending disputes would now be fully and satisfactorily settled.

The House of Assembly, in its first moments of surprise at these important and beneficial concessions, evinced a feeling of gratitude, which they embodied in several resolutions. This feeling, 1832. however, speedily disappeared, and in the act making judges independent of the Government, it was declared their salaries should be drawn from the timber duties and territorial revenue, amounting as already stated to £11,231, retained chiefly for the payment of the pension list, the support of the Church of England, and the control of which had not yet been surrendered by the Crown. The permanent civil list had been fixed in the estimate at the very low sum of £5900, which included £4500 for the Governor's salary, £500 for that of his Secretary, £400 for Provincial Secretary, £300 for the Attorney-General, and £200 for the salary of the Solicitor-General. Still, small as this sum was, the

\* *Quebec Gazette*, 11th November 1831.

Assembly refused to grant it, a most illiberal and unwise course. It brought them directly into contact with the Home Ministry, who now began to discover that fresh concessions only led to fresh demands.

Party spirit was rapidly on the increase. The British portion of the population, satisfied that every reasonable concession had been made, very generally sided with the executive; the French-Canadians with the Assembly. An election riot at Montreal, in which three men were killed and two wounded, by the fire of the military in self-defence, added to this antagonistic feeling, scarcely checked by the cholera, now decimating the principal towns and villages. On the 30th of July a meeting was held in the parish of St Charles, at which England was denounced for permitting emigration at such a sickly time, and thus desolating the province. It was likewise declared at this meeting that the Legislative Council ought to be elective, and that the conduct of Lord Aylmer, in censuring the Assembly for not voting a supply bill as he desired, was an insult to that body. A very hostile feeling was also evinced towards British immigrants of every description. They were stigmatised as foreigners, and the conduct of the Government in selling them lands denounced as an injury to the French population, to whom the soil of the country of right belonged, and for whose sole use it should be reserved.

The Whigs, still resolving to carry out their policy of conciliation, conceded to the Legislature the right to vote the supply bill by items, which at once terminated the long dispute on this point. At the same time the Colonial Secretary pressed upon the Assembly the propriety of permitting Mr Christie, whom they had so frequently expelled, and who was as frequently returned by the electors of Gaspé, to take his seat. This they refused, however, to do. The session of 1832-3 was particularly distinguished by a petition to the Crown, praying that the Legislative Council <sup>1833.</sup> should be made elective; and for an increasing ill feeling towards the executive. The supply bill also was £7000 short of the amount required, leaving the difference to be made up, at the pleasure of the Government, from the small Crown revenue still retained. The Bill was lost in the Upper House, now deeply incensed by the conduct of the Assembly in endeavouring to alter their constitution. They had already memorialised the Crown in strong language against the prayer of the grievance-petitions on that head.

Lord Stanley, now Secretary of State for the Colonies, was decidedly opposed to making the Legislative Council elective, and

stated that he deemed such a measure opposed to monarchical institutions, and, therefore, could never advise his Majesty to assent thereto. He also hinted that the existing dissensions in Lower Canada might lead to a modification of its charter.

When the Legislature again met, it was evident that little cordiality might be looked for between its two branches. The  
1834. Assembly, incensed at the threat held out by Lord Stanley, principally occupied itself in preparing "Ninety-two Resolutions," chiefly drawn up by Papineau, embodying their real or supposed grievances, on which petitions to the King, Lords, and Commons of the United Kingdom were founded. The address to the King was presented to the Governor for transmission. Mr Morin, one of their body, was deputed to convey the addresses for the Lords and Commons to England, and hand them to Mr Viger, still there as their agent. No supply bill whatever was voted, and the Governor, there not being a quorum to transact business, unwillingly prorogued the House on the 18th of March.

The appeal to the Imperial Parliament by the Assembly of Lower Canada, caused Mr Roebuck, on the 15th of April, to move in the House of Commons for the appointment of a committee to inquire into the means of remedying the evils which existed in the form of government of these provinces. This motion, however, he withdrew on another being made in amendment by Lord Stanley for "a select committee to inquire into, and report to the House, how far the grievances complained of in the year 1828, on the part of certain inhabitants of Lower Canada, had been redressed, and whether the recommendation of the committee which sat thereupon had been complied with." To this committee the subsequent grievances, as embodied in the ninety-two resolutions, were also to be referred. In order that everything might be done that was reasonable, the committee was so formed as to include all the members then in the House of the Canada committee of 1828, and which had reported so favourably for the petitioners. Among the members of the new committee was Bulwer, the celebrated novelist, and the still more celebrated liberal, Daniel O'Connell. Mr Hume, who shrewdly saw that its report would hardly go to sustain the ultra position he had assumed on Canadian affairs, and not wishing to be under the necessity of censuring his own conduct, managed to have his name withdrawn.

The committee sat until the 3d of the following July, examined the various petitions and documents connected with Canadian grievances, as well as several witnesses, and spared no pains to acquire a

just knowledge of the questions at issue. The result of the investigation was a report, which declared, in the most unequivocal language, "that the Governors of Lower Canada had been unremitting in their endeavours to carry out the suggestions of the select committee of 1828, and that any want of success, on their part, was entirely owing to the quarrels between the two branches of the Canadian Legislature, and other local causes." The report further stated, "that it would be inexpedient to make the documents public, which had been submitted to the committee, and that the interests of the empire would be best subserved by leaving practical measures for the future administration of Lower Canada entirely in the hands of the Imperial Government." In other words, the committee had come to the conclusion, that every reasonable concession had been made to the French majority of Lower Canada, and that no further measures of conciliation could be adopted with regard to them, without serious injury to the British portion of the inhabitants, now more than a fourth of the entire population, and representing all its great commercial and monetary interests. They could not fail to see from their minute inquiry, and the tenor of the ninety-two resolutions, the extreme views of the Assembly, and the latent desire for a total independence which pervaded all their movements, as well as their thinly concealed hostility to Great Britain.

While these events were transpiring in England, a very general feeling began to prevail in Lower Canada, that a struggle, which would probably terminate in bloodshed, was near at hand. The differences between the French and British inhabitants became every day more marked and distinct. Societies were formed by the latter in Quebec and Montreal to support the Constitution ; while, on the other hand, the French-Canadians organised associations for purposes evidently hostile to the Government. The menacing and revolutionary tone adopted by the French press added greatly to the alarm of the British population, while the general feeling of despondency was increased by the second appearance of cholera, which this time afflicted Quebec and Montreal with even greater severity than in 1832.

The first session of the last Parliament of Lower Canada was convened on the 21st of February, and Papineau again elected Speaker, by a vote of seventy in his favour against six for 1835. Lafontaine. In his speech the Governor stated, that the late period at which he had called the House together, was owing to his having waited for instructions from the Imperial Ministry. The latter, he

added, had directed the advance of £31,000 from the military chest, for the payment of the salaries of the judges and other officers of the Crown, who had been suffering extreme distress, owing to no supply bill having been passed for two sessions, and he trusted this amount would be cheerfully refunded by the Legislature.

The first act of the Assembly showed an uncompromising spirit of hostility to the executive. It directed that the Governor's speech censuring their proceedings when proroguing the last session, be expunged from their journals. The usual addresses asserted their right to control all the revenues of the province, censured the advance made from the military chest as interfering with their privileges, declared that the great body of the people desired an elective Legislative Council, and requested the Governor to inform his Majesty that they continued to seek the redress of all grievances and abuses. As several new grievances had arisen in the province since the passage of the ninety-two resolutions, a petition to the King was prepared, specifying them and praying for their removal.

The refusal of the Governor to advance money for the contingent expenses of the House both in this and the former session, a responsibility he declined in consequence of their not voting a supply bill, produced a very angry feeling among the members. This was increased by an official communication from Mr Spring Rice, stating the adverse decision of the Canada committee to their petitions, and the intention of the Imperial Parliament to adopt coercive measures, if the existing unsatisfactory condition of affairs should much longer continue. No supply bill, however, was voted, and only one act passed during the session, which was prorogued for the want of a quorum on the 18th of March.

These occurrences increased the general alarm; and, while the unthinking masses of the French-Canadians blindly and rashly followed their ambitious leaders towards revolution, the "Constitutional Associations" of Quebec and Montreal were actively preparing for the crisis, now evidently near at hand. Branch associations were formed in every direction, where the inhabitants of English, Irish, and Scotch origin were sufficiently numerous to warrant such a course, and circulars explanatory of their views and of the condition of the province, scattered in all quarters.

Such was the condition of matters in Lower Canada on Sir Robert Peel's accession to office in 1835. He at once determined on sending out a special commission for the examination of existing grievances, and felt disposed to yield up the casual and territorial revenue,

if the Assembly would vote a civil list for at least seven years. Before this arrangement could be matured, Peel's administration was succeeded by that of Lord Melbourne. His plan was nevertheless carried out, and the Earl of Gosford, Sir Charles Grey, and Sir George Gipps, were appointed commissioners to proceed to Lower Canada. Besides being a commissioner, the Earl of Gosford was to succeed Lord Aylmer as Governor-in-Chief.

Lord Glenelg, now Colonial Secretary, determined to continue a policy of conciliation, and stated his readiness to concede the control of the entire revenue to the Lower Canadian Legislature, if an independent provision was made for the judges, and the salaries of the civil officers fixed for ten years. He likewise professed his readiness to yield up the proceeds of the sale of wild lands, conceded the principle that the Imperial Parliament, unless in very extreme cases, had no constitutional right to interfere with the internal affairs of the province ; but declared, at the same time, in general terms, that the King was opposed to an elective Legislative Council, yet willing nevertheless to have its expediency inquired into. Lord Aylmer received numerous addresses, on his departure, from the British inhabitants, who deemed him unfairly dealt by in being recalled.

#### THE GOVERNMENT OF THE EARL OF GOSFORD.

The new Governor, accompanied by the other commissioners, arrived at Quebec on the 23d of August, at once assumed direction of the administration, and summoned the Legislature to meet, for despatch of business, on the 27th of October. In the interval he sedulously courted the good opinion of the leading members of the Assembly, invited them to his table, and declared "that, he considered, to be acceptable to the great body of the people was one of the most essential elements of fitness for public station."

Lord Gosford, on the day appointed, opened the Legislature with the most important speech ever made to that body by a Governor. Its tone was eminently conciliatory, and showed every disposition to meet the wishes of the French majority, even to the detriment of the British population. He declared himself the head of a commission to inquire, upon the spot, into all grievances, and to offer to his Majesty and his Ministers advice thereupon. "Some of their grievances," he said, "could be redressed by the executive alone, others by the aid of one or both branches of the Legislature ; but some of their demands could only be complied with by the act of the Imperial Parliament." He declared himself prepared to act impartially in every respect, plurality of offices should no longer

exist, and French-Canadians of talent and standing would have the path of official preferment opened to them equally with their British fellow-citizens. In future, every information with regard to public accounts, and all other public matters, should be rendered to the Assembly, and copies of the Blue Book, or general annual financial and statistical return, which he invited the aid of both Houses to make in future as complete as possible, would be presented to each branch of the Legislature. Bills should not, unless on the gravest grounds, be reserved for the decision of the Crown, nor would any undue partiality be given to the English language over the French. Whatever abuses might exist in the Law Courts, the members of the Legislature were themselves invited to remedy, as well as to regulate by enactment the matter of the Clergy Reserves. In addition, the Governor offered his warrant to both Houses, without any condition attached, for the payment of their contingent expenses. "The Home Government was prepared," he said, "to surrender the control of all public revenue arising from any Canadian source, on condition of a moderate provision being made for the civil list. He trusted, therefore, that a proper supply bill would be voted, and the £31,000, advanced from the military chest, repaid." He informed them that the suit instituted against Caldwell, the former Receiver-General, had been brought to a favourable termination for the province, and the large property of the defendant, who was about to relinquish his seat in the Upper House, thus made liable for the debt. In conclusion, he recommended the passage of several useful bills; and endeavoured to soothe the asperities of the two races. As regarded the inhabitants of British descent, he urged "they had nothing to fear on the score of commerce, the main support of the empire;" while to those of French origin he repeated, "that there was no design to disturb the form of society under which they had so long been contented and prosperous."

In this liberal manner all real grievances were offered to be redressed, and every point in dispute, consistent with the retention of Lower Canada as a British province, conceded. This was the view of the matter taken by the more moderate portion of the educated French-Canadians themselves, and could the intentions of the British Government have been placed before the several constituencies, so that they could fully understand them, the influence of their leaders must have been seriously affected. But the mass of the people were as illiterate, as unreflecting, and as little capable of judging for themselves in 1835, as they were when Amherst descended the St Lawrence for the final subjugation of Canada. The clerical order



alone could have counteracted effectually the extraordinary influence wielded by the ambitious, talented, yet visionary and imprudent Papineau; but they shared in the anti-British prejudices of the masses, and either held aloof altogether from the existing agitation, or covertly aided in establishing the ascendancy of their race. Not till rebellion had raised its head, and matters assumed a threatening aspect with regard to themselves, did they discover how little they could be profited by revolution, or by a closer connexion with the United States. Then their great moral power was decidedly and effectually exercised against Papineau and his friends, whose real influence from that moment rapidly dwindled away. The same cause precisely which made Smith O'Brien's rebellion in Ireland, in 1848, alike impotent and ridiculous, paralysed the Lower Canadian rebellion of 1837-8, to wit, the opposition of the Roman Catholic clergy.\*

However satisfactory to all moderate men and true patriots might have been the conciliatory tone of Lord Gosford's speech, it was soon evident that Papineau and his immediate friends had ulterior views, which no concession could possibly affect. Their hatred of British ascendancy had already reached the culminating point, and they now aimed at total independence. Papineau, intoxicated with long continuance of arbitrary moral power, allowed himself to indulge in visions of his prospective presidency of *La Nation Canadienne*, while his needy followers, the briefless French lawyers and patientless young physicians, exulted in the hope they would soon grasp every place of emolument and honour in the country, to the exclusion of the much-disliked English, Irish, and Scotch. Accordingly, one of the first measures of the House was to pass a bill appointing Mr Roebuck their agent in England, with instructions to press their grievances on the attention of the Imperial Parliament. In this way they utterly ignored the mission of the commissioners; and whom, in fact, on the score of their not having been appointed by the Lords and Commons of Great Britain, they had already determined not to acknowledge, although fully sensible that the report of the special committee had left Canadian matters completely in the hands of the British ministry. In their usual address all mention of the commission was consequently avoided.

Mr Roebuck had declared the Legislative Council a nuisance. His appointment as Canadian agent was, in consequence, particularly unpalatable to them, and the bill for that purpose was accordingly

\* A few only of the French-Canadian clergy sided openly with the insurgents during the rebellion, one of whom was executed at Montreal.

thrown out. This event increased the hostility of the Assembly towards the Upper House ; and Papineau, in the heat of debate, forgot his ordinary prudence, and avowed himself a republican in principle. "The time has gone by," said he, "when Europe could give monarchies to America ; on the contrary, an epoch is now approaching when America will give republics to Europe." Other members used equally violent language, the loyal population became alarmed, deemed the Government criminally supine, and determined to organise for their own defence. At Montreal a volunteer Rifle Corps was formed, but suppressed by the Governor's proclamation, although it was now notorious that bodies of the French-Canadians were being drilled by their leaders.

The unsatisfactory condition of matters in the Assembly was  
1836. presently increased by the course pursued by Mr Bidwell, Speaker of the Lower House of Upper Canada. Lord Glenelg had given instructions to Sir Francis B. Head which were decidedly opposed to the project of an elective Legislative Council. These instructions the latter had communicated to the Legislature of his province, and seeing how unfavourable the policy of the Colonial Office was to the wishes of the Lower Canadians, Bidwell forwarded extracts from them to Papineau. An elective Legislative Council would have enabled the latter to fill both Houses with his adherents, and thus remove the antagonism from between them to the united Legislature and the Crown, a course which must have practically resulted in French-Canadian independence. The firm position assumed by the British ministry on this point, left him no hopes of accomplishing his purpose unless by revolution, and thus forcibly wresting the country from Great Britain. Fancying that the United States would fly to his assistance, he determined on this course. It soon became evident, therefore, that Lord Gosford's mission was a complete failure.

On the 22d of February, the Assembly resolved themselves into committee of the whole on the public accounts and state of the province, and speedily determined to vote a supply bill for six months only, without refunding the moneys to the military chest, or granting supplies for the preceding years. They next proceeded to vote addresses to the Crown and Imperial Parliament, in which they reiterated their old grievances, and urged several new ones in addition. The concession of an elective Legislative Council was particularly insisted on, as well as the abolition of the North American Land Company, established by imperial charter, and which was already buying up the Crown lands. The appointment of Mr Gale to a judgeship by

Lord Aylmer was next strongly condemned, chiefly on the ground of his having in 1822 advocated a union of the two provinces, a measure still particularly unpalatable, and his dismissal required, as well as that also of Judge Fletcher and several other officials, who had likewise become obnoxious to the Assembly. The administration of Lord Aylmer they censured in the strongest language.

The supply bill, as a matter of course, was rejected by the Upper House, and the Government again left without funds to pay its civil servants, while matters were now in point of fact in a more unsettled condition than ever. The Governor was completely at fault, and when he prorogued the House on the 21st of March, his speech evinced how deeply his failure mortified him. "It is to me," said he, "a matter of sincere regret, that the offers of peace and conciliation of which I was the bearer to this country, have not led to the result which I had hoped for. The consequences of their rejection, and of the demands which have been made to his Majesty, I will not venture to predict." Lord Gosford, in his subsequent despatches to the Colonial Office, ascribed his failure to the disclosures made by Sir Francis Head. He was completely in error. Anything he could have done would merely stave off the crisis to a later period, without removing the chief causes which had produced it.

The British portion of the population were now thoroughly aroused, and defensive associations formed by them in various parts of the province. The tone of the Governor's speech on opening the Legislature had alarmed them for their liberties, and they feared that French influence would speedily be paramount in the province, to the detriment of its other inhabitants. The close of the session, in a measure, relieved them from apprehensions on this score, and this feeling speedily gave way to one of anxiety for the safety of person and property. An intelligent and influential public press fearlessly discussed the questions at issue, and completely showed the anti-British spirit which actuated the leaders of the French majority, and that it was not in reality the amelioration of their condition as British subjects they desired, but total independence and a distinct nationality.

The Legislature was again convened on the 22d of September. The Governor's speech on this occasion was brief, and he did not by any means show the same disposition to court the good opinion of the Assembly, as when opening the preceding session. He stated that his Majesty desired to give them another opportunity to reconsider the course they had pursued, and trusted that this time a proper supply bill would be voted, and the money borrowed from

the military chest repaid. "The course I have hitherto pursued," he said, "has been approved by my sovereign, and I have never ceased to remember that the two first objects of my government were the removal of abuses, and the reconciliation of opposing parties. By caution, by forbearance, and by the exercise of what I believe to be a liberal policy, I have sought to promote the welfare of the country, and to gain your confidence. If I succeed in this latter object I shall rejoice at it principally because it will afford me the means of doing the greater good, and if I fail of success, I shall always be consoled by the consciousness of having laboured earnestly to deserve it." The address of the Assembly in reply to this speech, urged the necessity of an elective Legislative Council, as all measures of reform must be abortive under the existing constitution. But it neither alluded to the commission of inquiry, nor to a supply bill.

Despatches from the Colonial Secretary were laid before the House at an early period of the session. These, while they expressed a strong desire to redress all reasonable abuses, repudiated the principle of an elective Legislative Council, and the right of interference with the British North American Land Company, unless its claims of a corporate character and to its lands, should be declared invalid by due course of law. As its charter had been granted by the Imperial Parliament, a procedure of this nature would involve the question, whether it or the Canadian Legislature had the right to incorporate such a company? "No single complaint had been alleged," added these despatches, "which has not been either promptly removed, or made the subject of impartial inquiry. Yet the House declined a compliance with the proposition to provide for the arrears and supplies, pending such inquiry." These despatches drew from the Assembly a long address to the Governor, in which they endeavoured to sustain the extreme position they had assumed on all the points at issue. The Legislative Council was again denounced in the strongest language, and the executive and judicial authorities stigmatised as "a faction combined against the liberties of the country, and its public property." At the same time, they avowed their determination not to transact any business till the Legislative Council had been made elective. A dissolution was out of the question, altogether, under existing circumstances, as it would only end in the return of the same members; so Lower Canada was now virtually without a House of Assembly. The Legislature was prorogued on the 5th of October, the Governor expressing his regret at the embarrassing position in which the country must remain,

"until a remedy was applied by the supreme authority of the empire."

The commissioners, having fully investigated the matters referred to them, returned to England, with the exception of Lord Gosford, who remained in his capacity of Governor-in-Chief. Their report, at once elaborate and comprehensive, convinced the Home Ministry of the necessity of immediate action, if Lower Canada was to be retained as a British province. Resolutions, on which were to be based the future imperial policy, were introduced in the House of Commons on the 6th of March, and adopted by a large majority. These resolutions declared that since 1832 no provision had been made by the Legislature of Lower Canada for the civil list; and, after adverting to the policy of the Assembly, stated "that it was unadvisable to make the Legislative Council of the province elective; but, that it was expedient that measures be adopted for securing to that branch of the Legislature a greater degree of public confidence." Authority was given soon after to the executive to use the public moneys of the province for the necessary expenditure, by the Imperial Parliament.

This unqualified rejection of their demands aroused a storm of indignation on the part of Papineau and his party. The French-Canadians, with few exceptions, were loud in their execrations of the British Government, and the *Vindicator*, a paper published in the English language at Montreal, was still more hostile in its denunciations. Indignation meetings were speedily held in various parts of the province, at which violent resolutions were passed, and Papineau, the chief orator and actor on these occasions, was escorted by crowds of his countrymen from one district to another. The Governor endeavoured to stop these meetings by a proclamation pointing out their seditious character, and directing their suppression. But they were still continued, and the cry of "*Vive Papineau ! vive la liberte ! point de despotisme !*" was shouted by the simple peasantry with as much eager enthusiasm, as though they had been Blouses of the Parisian Boulevards.

While the popularity of Papineau was thus at its zenith in the country, the better informed of the habitants in the towns did not share altogether the feeling of the peasantry. Their closer intercourse with the British had given them juster views of the questions at issue, and of the fierce struggle which must ensue before French-Canadian nationality was established, if that event indeed should ever take place. Many, therefore, held wholly aloof from the quarrel in progress, and some, startled by the near and tangible

approach of civil war, and sensible, possibly, of the privileges they enjoyed, attached themselves openly to the Government. Nor were the British supporters of the Constitution inactive. Loyal meetings of an imposing character took place at Quebec and Montreal, at which resolutions were passed avowing devoted attachment to the Crown, and a determination to support the Constitution at all hazards.

In the midst of this excitement died William IV., the amiable citizen King of England; and, after the lapse of a century and a quarter, a female sovereign again sat on the British throne. But the accession of Victoria I. awoke no feelings of gallantry or forbearance in the bosoms of the Papineau faction, and they plotted against her crown as earnestly as they had done against that of her predecessor. More violent language than ever was uttered at public meetings, and in various parts of the district of Montreal, the focus of sedition, magistrates were compelled to resign their commissions, and the laws otherwise violated with impunity. In consequence of these proceedings Papineau and several other militia officers were dismissed.

The Home Government, very unwilling at the commencement of a new reign to adopt coercive measures, instructed Lord Gosford to convoke the Legislature once more, and give it an opportunity to rescind its resolves, and pursue a wiser and more constitutional course. On the 18th of August it accordingly assembled for the last time at Quebec, many members of the Assembly, pursuant to a determination, recently agreed upon, to discountenance the use of British manufactures, appearing in homespun clothing. The Governor's speech was most conciliatory in its tone, but the Assembly doggedly persisting in their determination to vote no supply bill, nor transact any other business till their demands were complied with, the Legislature was prorogued by proclamation on the 26th.

These occurrences increased the prevailing excitement. Military associations were organised by the *Patriots*, as the disaffected thought proper to term themselves, and the determination to establish a "North-West Republic of Lower Canada" openly avowed. Under existing circumstances legal prosecutions would be of no avail. The bench, the bar, the people, were alike tainted with the spirit of hostility to Great Britain, and no jury would dare, if they even desired it, to convict a political criminal. The military power alone could effectually grapple with the existing order of things. But positive rebellion only would excuse its intervention. That had not as yet raised its head, so matters in the meantime were permitted to take their course.

The project of a republic at length effectually aroused the French Roman Catholic clergy to a sense of their true position, and they now vigorously applied themselves to check the progress of the storm, which they had so long quietly allowed to gather strength, or covertly fomented. Bishop Lartigue addressed a circular letter to his clergy, directing them to oppose the revolutionary spirit, and to inculcate obedience to the laws of their country. At the same time he painted in forcible language the horrors and misery of civil war. In the excitement of the moment his address had little apparent effect: still, from the hour of its publication, a moral influence was steadily at work at the altars and confessionals of the many churches of the province, which gradually, but surely, effected a powerful reaction. Papineau was soon made to feel that the "Church" exercised a mastery over the unlettered habitants which he had not yet attained to.

## CHAPTER XX.

### CAUSES LEADING TO THE LOWER CANADIAN REBELLION.

UNEVENTFUL indeed must the pages of that history be, which conveys no profound lesson of instruction to the politician, the philanthropist, or the philosopher. Brief as the existence of Canada has been, her annals are pregnant with import, and their careful and philosophical analysis eminently necessary to wise legislation. By accurately tracing effect to cause, and by a disposition on our part to profit by past experience, much ill-digested and unwise legislation may be avoided.

The history of Canada solves, in a great measure, if not altogether, two important problems in political economy. On one hand, it tends to establish the fact that the colonial policy of England is revolutionary in its effects, and founds communities on a basis which invariably leads to political independence of the parent state; on the other, it proves that the natural temperament of a French community is not favourable to the sober and rational exercise of constitutional liberty.

1. Generations ago the sages of England discovered that the unity of the empire could only be preserved, and its power consolidated, by fusing the Legislatures of the three kingdoms into one. The Act of Union effected this object with regard to Scotland, the rebellion of "'98" accomplished the same purpose in Ireland. From 1798 the British Parliament has assumed an imperial aspect, and steadily pursued its mission of a united metropolitan power. While the astute O'Connell desired a national existence for Ireland, he saw clearly that his project was utterly hopeless so long as his country continued to send members to a British Legislature. Hence, he agitated the "Repeal of the Union" as the first grand step towards Irish nationality; but, opposed alike by Whig, and Tory, and Conservative, he sank to rest with his fathers, leaving his purpose unaccomplished, and every prospect of its attainment blotted out for



ever by the political insanity of Smith O'Brien and John Mitchell, the latter the pseudo-advocate of liberty in Ireland, the apologist for slavery in the United States.

When the eloquence of Grattan was transplanted from the College Green of Dublin to the Westminster of London—from an Irish to a British Parliament, there were over a million of persons in Ireland who could scarcely speak a word of English. Numbers beside, while they spoke a little English, could only think in Irish, and all regarded the Anglo-Saxons as a race of odious foreigners, who neither understood the language, nor appreciated the religion of the Celt.

Here, then, was a clear and tangible basis for an Irish nationality ; and O'Connell long struggled to preserve it as a distinct social element. But the imperial policy triumphed. The English language broke roughly and continually over that of the Celt, invaded the bogs of Connaught, and the rude cabins of Connemara, pervaded the bench, the bar, the national schoolroom, and effectually performed its mission of breaking down the "wall of partition" between the two races. A few generations more, and the tongue in which Carolan sang, Curran apostrophised, and the learned "Four Masters" indited their Annals, will have passed into oblivion, to be only acquired by the studious.

It must create a feeling of surprise in the mind of the philosophical inquirer, that the policy of a united power, so successful in fusing the Celtic elements of Ireland and Scotland into the great Anglo-Saxon family, was not followed out in the colonial system of Great Britain. Had an imperial representation been interwoven in the constitutions of the American colonies, they would still, in all probability, have remained an integral portion of the British Empire. The indignant feelings consequent on the secondary positions their legislatures occupied, could not have been excited ; and, secure in every privilege of the citizen of the parent state, their inhabitants would never have felt themselves oppressed by colonial inferiority, and the circumstance of their being no longer entitled to the rights of British freemen when they ceased to inhabit immediate British soil.

Had the principles of an imperial federal union been established from the first, as the prominent characteristic of the colonial policy of Great Britain, her power would be alike splendid and enduring, instead of being broken into several fragments, in some cases held together by the most slender ties. But, unfortunately for the unity of the race, a narrow commercial prejudice influenced the colonial legislation of the mother-country, meanly looking to mercantile

monopoly and present profit, rather than to the future founding of what must be almost a universal empire.

The American revolution produced no change in the fundamental principles of British colonial policy. The surrender of the right of internal taxation by the Imperial Parliament was merely an abstract measure, and involved only a slight modification of the general system. The erroneous position was assumed by British statesmen that taxation without representation was the chief cause of American independence, and that by relinquishing such a right, no event of the kind could ever happen again. The result has proved how fallacious was the supposition. It never occurred to British legislators of the last century that their whole colonial system was utterly at fault, and required to be entirely remodelled, in order to secure a lasting union with the vigorous young nations. Anglo-Saxon immigration was planting amid the gentle tides of the Pacific, along the pleasant valley of the St Lawrence, and in the gorgeous regions towards the rising sun. The political events in all the principal British dependencies for the last fifty years present unmistakable evidence how imperfect is our colonial system, and how slightly has it been modified for the better by the lapse of time. Seventy-two years ago it led to the independence of the United States, and in our own day it has all but severed the Cape of Good Hope, Canada, and Australia from British dominion. To all intents and purposes, these provinces are now practically as independent of the mother-country, as the American Union. Every British colony, as it arrives at a certain position of population and wealth, must occupy the same position. This result is the necessity of a system, which, while it concedes the principle of local colonial legislation, would check the full development of constitutional liberty, (which the very concession itself involves,) and arrogates to itself an imperial dictation. Hence, so long as this system prevails, Great Britain must be content to see her colonies become practically independent, one by one, as they arrive at an age to take care of themselves; whereas, a more enlightened course would have enabled her to found an empire, such as the world has never seen. It would seem that the time for establishing such an empire has gone by, and that the union of opinion and natural affection is the only one which now can subsist between Great Britain and her principal colonies.

2. While a correct knowledge of this subject is necessary to the student of Canadian history to enable him to understand a great many points which otherwise might appear enigmatical, it must not be forgotten, that the future colonial policy of Great Britain can

exercise only a negative, and very partial influence, on the condition of this country. Its destinies rest principally with its own citizens. Hence, the inquiry how far the French element in our social and political system is favourable to the progress of rational constitutional liberty, becomes eminently important. Its reply necessarily involves an investigation into the causes which produced the Lower Canadian rebellion, and of which that in Upper Canada may be regarded as a consequence.

Before the Conquest, Canada was purely a military colony, and subjected, like France, to a despotism of the most exacting and imperious character. While the customs of the Parisian tribunals, and the edicts of the French monarch, were the statute law of the country, its administration was confided to the Governor and an Intendant, who, unchecked by a public press, and having the patronage of the whole colony completely at their disposal, usually acted on the caprice of the moment, and were generally able to set public opinion completely at defiance. Having thus the means to provide for the more educated, they either silenced or enlisted on their side every person of influence. The common people, steeped in the grossest ignorance, and oppressed by feudal exactions, submitted without a murmur, from long habit, to the arrogant claims and pretensions of their seigniors and the public officials. The meanest officer of the Government was regarded with the most slavish fear, and his mandates promptly obeyed; while their superiors generally were looked upon as almost beings of a higher order in creation to themselves. By these they were treated with the greatest severity. In the law courts the torture was frequently applied; while, by the military authorities, they were compelled to serve as soldiers without pay, and in every condition of life taught that the one cardinal virtue was a blind and implicit obedience to those in power. This doctrine was continually rung in their ears from generation to generation, by the ministers of religion, by the judicial authorities, and by officials of every grade. On the other hand, there was no one to expose its fallacies or abuses—no newspaper to criticise the actions of the superior class. The writings of Montesquieu could not reach the inert mass, and awaken them to a juster appreciation of human liberty, nor the impassioned eloquence of a Mirabeau penetrate to the fireside of the habitant. The people, ignorant, and, what was worse, contented in their ignorance, looked upon their own laws and customs as equally admirable and excellent; and, like the Chinese, regarded the rest of the world, France alone excepted, as “outside barbarians.”

A despotism of this nature was eminently calculated to debase the human mind, render a people frivolous and dissipated in their habits, and careless of the future. "In winter," said the French writer Abbe Raynal, speaking of the habitants, "with the exception of a few moments given to their flocks, their time was chiefly passed at public-houses, or in driving about to see their friends. In spring, they ploughed their ground superficially, without ever manuring it, sowed it carelessly, and then returned to their former indolent manner of life till the harvest time. The numerous festivals prescribed by their religion interfered with the progress of industry, and a passion for war, purposely encouraged amongst them, rendered them adverse to the labours of husbandry. Their minds were so entirely captivated with military glory, that they thought only of war, although they engaged in it without pay. In the capital, especially, the inhabitants spent summer as well as winter in a constant scene of dissipation. They had no taste for arts or science, for reading or instruction. Their only passion was amusement."

Such was the social condition of the Canadian habitant immediately before the Conquest, and more than forty years afterwards it had undergone no change, if we may believe the testimony of a most intelligent French traveller, the Duke de Rochefoucault. "No Canadian," said he, "has just grounds of complaint against the British Government. They acknowledge they are better treated now than ever; but they love the French—forget them not, long after them, hope for their arrival, and will always love them. In their estimation a Frenchman is a being much superior to a native of Great Britain. The farmers are a frugal set of people, but ignorant and lazy. In order to succeed in enlarging and improving agriculture in this province, the English Government must proceed with great prudence and perseverance, for, in addition to the unhappy prejudices which the farmers of Canada entertain in common with those of all other countries, they also foster a strong mistrust against everything they receive from the British. This mistrust is grounded on the idea, that the latter are their conquerors and the French their brethren." "It is questionable," declares Mr Silliman, a distinguished American scholar, "whether any conquered country was ever better treated by its conquerors than Canada: the people were left in complete possession of their religion, and the revenues for its support, as well as of their property, laws, customs, and manners, and even the defence of their country is no expense to them."

No people in the world were more decidedly Tory, or ever clung

more tenaciously to old customs and abuses, than the Lower Canadians. They desired no innovation—no improvement of any kind, and all they asked from their conquerors was to leave them their properties, their religion, their laws and customs. Never have they been more oppressed under British rule than immediately after the Conquest. Yet, whatever little feeling was then evinced in consequence was easily soothed by the introduction of the French language and civil law into the courts, and permitting the Canadian attorneys, the party who gave most trouble, to practise in them. The Quebec Act of 1774, which separated them completely from the other British colonies, and consigned the province to the authority of a governor and council, as when under French dominion, was hailed as the greatest possible boon. It continued in force for seventeen years, and although during that time the British minority monopolised all the principal posts in the country, as well as its commerce, the mass of the people remained as quiet as ever. However much they disliked the dominant race, we hear nothing at this period of grievance-petitions. The Canadians still remained thoroughly French. Nothing had been done to educate the peasantry, or fit them for a greater degree of constitutional liberty, and the English language had made no progress whatever among them. They were as fond of pleasure, as unreflecting, as indolent, and as superstitious as at any previous period.

Such was the condition of things in Lower Canada, when the British inhabitants agitated the question of reform in the government, and the establishment of a Legislature in accordance with the constitutional institutions of the parent state. The French population, as a rule, deprecated any change of this kind. But obedience was a part of their national characteristics, and they submitted ; satisfied, however, that neither their language nor their usages would be affected by the alteration.

Never before was the elective franchise intrusted to any people less fitted to use it. Nine-tenths of the male inhabitants could neither read nor write, were wholly incapable of political discrimination, and thus completely at the mercy of any designing demagogue, who had sufficient talents to excite their passions or arouse their prejudices. They knew nothing of that sober steady love of constitutional liberty that animates every true Briton, and which upheld the spirits of the American people during their long and desperate struggle for independence. They neither understood the privileges with which they were invested, nor desired to understand them ; and followed their leaders, under the new system, with the same blind and clannish

devotion, as they had exhibited towards their officers in the days of Frontenac and Montcalm.

Never was a greater mistake made, than in supposing that the Constitution of 1791 would remove all tendency to revolution in Lower Canada. It brought the two races more closely together in legislative matters alone, and more widely separated them on all others. It revived, in the squabbles it produced, the national animosities and antagonism, which, unhappily for mankind, had so long existed between the French and British nations. Then, the sunny France of their fathers was still the cherished country of the Canadians' memory. Thither their young men who sought distinction made summer pilgrimages, and there they drew inspiration or instruction from the pages of its literature. The dull, inert mass of the habitants took their mental impress from their priests or their leaders ; but all the intellect of Lower Canada was French exclusively.

Had the introduction of the English language into the courts of law, and a system of common school education prepared the people for the measure, the British ministry would have been fully justified in its adoption. But no common education, as in Ireland and Scotland, removed or softened the differences of origin and language. These differences sundered the races from the cradle to the grave ; in childhood, riper youth, and sober manhood. Their language was not more different than their literature. While one sought wisdom or amusement in the pages of a Bacon, a Newton, or a Scott, the other studied the productions of the French school, so generally unfavourable to British interests. Thus, the distinction between the two races continued to be almost as strongly drawn, as though the channel of the sea that washes the shores of Dover and Calais had still rolled between them.

When the reformers of Lower Canada agitated the question of a constitutional government, they had no idea whatever of the division of the province, and expected that the increase of a British population would give them a fair amount of influence in the Legislature. The impolitic desire of the Home Government to preserve the French element distinct from the British, as a safeguard against revolution, completely destroyed this prospect, and precipitated the very consequence it was desired to avoid, aside from preventing the gradual amalgamation of the two races.

For a brief space, however, the British inhabitants were lulled into security by the unexpected moderation of the French. The latter knew very little of the power with which they had been so suddenly

invested, and it required a more intimate acquaintance with its tendency to enable them to exercise it with effect. That knowledge they dexterously managed to acquire through the medium of the British themselves, a larger proportion of whom were returned to the first House of Assembly, than at any subsequent period. But no sooner had the French-Canadian leaders become fully aware of the nature of the power with which they had been invested, than they gradually excluded persons of British origin from the House, until only some three or four remained. The French, instead of the English, now became the dominant language, and assumed the aggressive in the most decided manner. If a person of British origin aspired to political influence, he had to cast aside every predilection of birth and education, connect himself wholly with the French-Canadian party, and also learn their language.\* Very few would submit to this, and as time progressed nearly all those persons of British descent who had originally acted with the anti-executive party attached themselves to the Government.

Prior to the formation of the Papineau party, no systematic attempt had been made to excite the prejudices of the masses against the natives of British origin. The latter were too few in the rural parishes to awaken the jealousy of the peasantry, and whose leaders in the towns were effectually held in check by the arbitrary administration of Sir James H. Craig. Prevost's policy was decidedly French. He soothed the wounded vanity of their leaders, flattered their national prejudices, and thus, while he saved the country from the Americans, excited hopes of a future nationality. Nor is there any ground whatever for the supposition that the conduct of the habitants during the war arose from a feeling of loyalty to Great Britain. No such feeling had ever any very general existence among them, nor has it now. They had not forgotten Arnold and Montgomery's invasion of Canada, nor the manner in which the Americans then plundered them, and had no desire to submit a second time to their dominion. They disliked the Americans infinitely more than they did the British, and the clergy then, even more than they are now, the great lever of popular opinion, were in favour of a monarchy, and detested republicanism. To understand the habitant correctly, we must always descend to the under-current: the surface is no criterion whatever.

Shortly after the war, Lower Canada presented a very extraordi-

\* The Nelsons, and most of the other persons of British origin who joined the Papineau party in the rebellion, spoke French fluently, and from long residence among the habitants had no doubt acquired much of their feeling and prejudice.

nary and unusual political spectacle. On one hand was a conquered people, rapidly regaining their original nationality, with the constitutional means placed in their hands by the very race which had subdued them: on the other, the latter vainly striving to preserve their ascendancy by what must unquestionably be regarded as unconstitutional methods. The experiment of giving an English constitution to a French population, to prevent it from being Anglicised, was a novel feature in imperial legislation, and failed completely in all its leading objects. The lapse of thirty years from the passage of the Constitutional Act of 1791 fully established this fact, and the Colonial Office vainly strove to preserve British ascendancy, by making the Executive and Legislative Councils almost wholly English, and by excluding the French majority from all posts of real influence. The proceeding was perfectly natural. No one could possibly be so unreasonable as to suppose that the British nation would surrender the vantage-ground it had acquired, at the cost of so much blood and treasure, in the valley of the St Lawrence, and consent that a French colony should monopolise this great outlet of north-western commerce, to the prejudice of the inhabitants of their own origin in Upper Canada, as well as to the injury of the whole empire. Nevertheless this was precisely what was desired by Papineau's party.

The very necessities of their condition placed the British minority in a false and anomalous position. In seeking a constitutional mode of government, they had literally, in vulgar phrase, "plucked a rod to whip themselves," and were now smarting under its application. They had placed a power in the hands of the majority, at first unwilling to receive it, which they had no constitutional means of resisting, and in resorting to unconstitutional means they only added to the existing evils of their position, and placed the French-Canadian party completely on the vantage-ground. Had the latter been more rational in their views, pursued a more moderate course, and abstained from rebellion, their ascendancy must have rather increased than diminished.

And yet, although the French-Canadians were apparently the liberal party of Lower Canada, owing to the manner in which they advocated reforms in questions of purely a British character, while at the same time they clung tenaciously to almost every abuse of French origin, the citizens of the other race were the real reformers. The very Constitution itself, the first great measure of reform, was the result of their solicitations, and the fact of the two provinces being divided was not owing to them, as the able protest of Mr



Lymburner clearly shows, but to the blind infatuation of the Imperial Government. They were foremost in all great public measures of utility, in the building of steamboats, in commerce, in agricultural improvement, in liberal educational measures, in the social elevation of the industrial classes, and thus kept full pace with the progressive spirit of the age. The French population, on the other hand, clung to ancient prejudices, to ancient customs, and to ancient laws, with the unreasoning tenacity of an uneducated and unprogressive people. They remained an old and stationary society, in the midst of a new and progressive world, the French of the old regime, and very different from the enlightened people of France at the present day.

In these facts lie the solution of the enigmatical and paradoxical question, arising from the political and social condition of Lower Canada before the rebellion; while they prove, at the same time, how little real similarity of feeling there was between French agitation in one province and British in the other. The Lower Canadians desired to acquire the legislative and administrative power to enable them to preserve their French nationality—their old laws and old customs more effectually, by shutting out British immigration, enterprise, and competition, and by retaining the soil completely in their own hands. Hence, had they succeeded in their views, the result must have been the establishment of a system fraught with tenfold more abuses than any which could possibly exist under British dominion.

In Upper Canada, on the other hand, five-sixths of the Reform party desired to acquire administrative influence, with the view of placing the Constitution on a more secure and permanent basis, and not to overturn it altogether. With the exception of occasional individual feelings of jealousy, they desired to see their new townships settled by immigration, local improvements of every description pushed forward, international policy placed on a more liberal basis, and to keep fully up with the progress of the age. The French-Canadians, on the contrary, made immigration a standing grievance, maintained they alone had the sole right to the soil, continued their wretched mode of agriculture, disliked all nations but France, and desired to surround themselves with the most rigid circle of exclusiveness. They detested the Americans even more than they did the British, and courted the former merely to escape from the dominion of the latter, and not from any feeling of fraternity. Once independent, Jonathan, if possible, would be held fully as carefully at arm's-length as John Bull. Thus, in fact, the only real

democrats in Lower Canada, if any class of persons there merited the term, were the recent settlers of British origin.\*

Such was the condition of matters in the sister province prior to 1837; and the question naturally arises, whether, or how far, the "Union" has altered it for the better? The fact is indisputable that very important ameliorating changes have, in many respects, been introduced. The English language has decidedly assumed the aggressive, and is gradually drawing the more educated and commercial of the French population within its influence.

But, although the surface of Canadian society wears a uniform aspect of contentment at the present time, the antagonism of race merely slumbers beneath to burst out afresh at any moment of great excitement. Yet nothing can be more absurd than this lurking desire for a French-Canadian national existence. Even were the desire accomplished, no exclusively French nation would long be permitted to exist by the Anglo-Saxon nations surrounding it on all

\* "Nor did I find the spirit which animated each party at all more coincident with the representations current in this country, than their objects appeared, when tried by English, or, rather, European ideas of reforming legislation. An utterly uneducated and singularly inert population, implicitly obeying leaders who ruled them by the influence of a blind confidence and narrow national prejudices, accorded very little with the resemblance which had been discovered to that high-spirited democracy which effected the American revolution. Still less could I discover in the English population those slavish tools of a narrow official clique, or a few purse-proud merchants, which their opponents had described them as being. I have found the main body of the English population, consisting of hardy farmers and humble mechanics, composing a very independent, not very manageable, and, sometimes, a rather turbulent democracy. Though constantly professing a somewhat extravagant loyalty and high prerogative doctrines, I found them very determined in maintaining, in their own persons, a great respect for popular rights, and singularly ready to enforce their wishes by the strongest means of constitutional pressure on the Government. Between them and the Canadians I found the strongest hostility; and that hostility was, as might be expected, most strongly developed among the humblest and rudest of the body. Between them and the small knot of officials, whose influence has been represented as formidable, I found no sympathy whatever; and it must be said, in justice to the body of officials, who have been so much assailed as the enemies of the Canadian people, that, however little I can excuse the injurious influence of that system of administration which they were called upon to carry into execution, the members of the oldest and most powerful official families were, of all the English in the country, those in whom I generally found most sympathy with, and kindly feeling towards, the French population. I could not therefore believe that the animosity was only that subsisting between an official oligarchy and a people; and again, I was brought to a conviction that the contest which had been represented as a contest of classes, was, in fact, a contest of races."—*Lord Durham's Report*, p. 10.

sides. The true policy of the Lower Canadians is to form an influential nation in connexion with the people of the Upper Province—to fuse the population of both Canadas into one compact whole. The interests of all the inhabitants of the valley of the St Lawrence are identical. Their wisdom should always be shown in the surrender of mutual prejudices, in the general adoption of the English language, and in their efforts to perpetuate the national independence, which, in their connexion with Great Britain, they now so happily possess. In any case, the British inhabitants of Upper should never desert those of Lower Canada. Their true policy is union if possible of all our North American provinces : if otherwise, at least of the Canadas, and representation on the basis of population. In their case, union is strength, national influence, and national credit : while disunion must always lead to dissension, weakness, and the absence of national importance. Two millions of people have more weight in the family of nations, than one could possibly possess. The true Canadian patriot, instead of weakening the influence of his country by breaking it into fragments, should sedulously apply himself to consolidate its strength, to increase its population, and consequently its moral and physical power, and, by the cohesion of all its parts, to give it due importance in the great family of nations. If this policy is steadily and vigorously pursued, our nationality must continue to be of a positive and aggressive character, and absorb at least all the colonies of British North America.

#### THE LOWER CANADIAN REBELLION OF 1837-38.

##### THE GOVERNMENT OF LORD GOSFORD,—*continued.*

“Madam,” said the eminent Irish lawyer, Curran, to a lady client, “to succeed in a law-suit you must have a good cause, a good counsel, and plenty of money.” The same requisites 1837. are essential to successful rebellion. The prudent merchant, before he embarks in any new speculation, will maturely calculate the prospect of profit ; the statesman, before he adopts a novel line of policy, will sagely scrutinise its bearings, and weigh well its probable results, otherwise neither can look for success.

In driving his simple and impulsive countrymen into a contest with Great Britain and a hardy Anglo-Canadian population, it is evident that Louis Joseph Papineau, the great master spirit of the crisis, had never counted the cost. He had neither a good cause, a good counsel, nor money to reward his friends. He was a

brilliant orator, but no statesman; a clever partisan leader, but a miserable general officer; a braggart in the forum—a coward in the field. He excited a storm which he neither knew how to allay nor direct.

As the Canadian rebellion differed in all respects from the American war of independence, so was the impassioned, prejudiced, and imprudent Louis J. Papineau, the antipodes of the sober, impartial, and prudent George Washington. One loved himself, the other loved his country. The Canadian advocate, whose battles had ever been one of words, regardless of his countrymen, desired to raise himself to supreme power in the state; the American soldier, who had faced many a danger by flood and field, sought only the happiness of his fellow-citizens.

Nor had Papineau the excuse of youth to plead in extenuation of his folly. In 1837 he was forty-eight years of age, a period of life when the intellect stands at its meridian. He appeared to be formed by nature for the eloquent agitator, but not for the wise or prudent legislator—to act upon the passions and prejudices of his ignorant and unreflecting countrymen, not to make them happier, wiser, or better. In height he was of the middle size, with features of a Hebrew cast; while his large dark eyebrows, shaded, in a higher arch than common, a keen lustrous eye, quick and penetrating. Deeply read in general literature, familiar with the old Canadian lore of Hennepin and Charlevoix, and the other learned Jesuit Fathers who had written of *La Nouvelle France* in bygone days, he appealed to all the feelings and prejudices of his countrymen with irresistible effect, and carried them captive by the force of his oratorical and conversational powers.

Yet Papineau knew little of the people of Upper Canada after all, a knowledge essential to his schemes, and was ignorant of the feeling of loyalty to the Queen and Constitution which ran like a deep under-current beneath their political squabbles. In organising insurrection, he only saw that the military force in both provinces was very weak, and invited rebellion. In Upper Canada, thirteen hundred regular troops, including artillerymen, were scattered here and there from Kingston to Penetanguishene: in Lower Canada, about two thousand soldiers garrisoned Quebec, or, at other points, awed nearly half a million of partially or wholly disaffected habitants. Nor was the Government better off in other respects, as regarded defensive or offensive military operations. Twenty-two years of profound peace had made sad havoc with gun-carriages, limber wheels, and all manner of warlike munitions.

The powder in the musty magazines was damp ; muskets, swords, and bayonets had long rusted in inglorious ease ; and bedding and blankets had disappeared before successive generations of moths. Not a royal ship, nor boat, nor oar was at Kingston, where Yeo had fitted out his squadron, and the Government dockyard had been converted into a pasture.

The appointment, however, of Sir John Colborne to the military command of the provinces, made up for many deficiencies. This appointment was received, when, after surrendering the administration of Upper Canada to Sir Francis Head, he had arrived at New York on his way to England. In July he proceeded from Quebec to William Henry, that he might be nearer the centre of sedition, should necessity for military interference arise during the fall or winter.

As summer progressed, the dark shadows of coming civil war were falling more plainly on the province. Lord Gosford saw the gathering storm ; and desirous to avoid the grave responsibilities it must entail, requested his recall. "It is evident," said he, in his letter on the 2d September to Lord Glenelg, "that the Papineau faction are not to be satisfied with any concession that does not place them in a more favourable position to carry into effect their ulterior objects, namely, the separation of this country from England, and the establishment of a republican form of government. The executive requires more power, and under my present impression, I am disposed to think that you will be under the necessity of suspending the Constitution. It is with deep feelings of regret I state this, but duty compels me to communicate it to you."

During September the *Patriots* continued to hold their meetings, at which Papineau laboured to increase their animosity. On some of these occasions a Frenchified Englishman, Wolfred Nelson, was also an orator, and warned his adherents to be ready to arm. The dismissed militia officers were elected by the peasantry to command them again : at St Hyacinthe the tri-coloured flag was displayed : tavern-keepers in St Denis and St Charles substituted eagles for their former signs : and mobs paraded the streets of Montreal, (now without a police, its act of incorporation for a limited term having been allowed to expire,) singing revolutionary songs. Still, the firm attitude now assumed by the Roman Catholic clergy in favour of the Government and of obedience to the laws, retained the great mass of the habitants in sullen neutrality, and reduced Papineau's real supporters to a very small minority. These became more and more restive as they felt clerical influence setting decidedly against

them. Priests were insulted in the churches, and on one occasion in the presence of Papineau himself. Law and religion were on the side of the Government, rebellion and infidelity on that of the *Patriots*. The rebellion might be said to be extinguished ere it had begun, and the military had only to trample out the smouldering flame, which had exhausted its strength in the vitals of the building ere it burst forth.

On the 6th of November a riot in Montreal brought matters rapidly to a crisis. A few Constitutionlists were attacked by a French-Canadian association, called *Les Fils de la Liberté*, (the Sons of Liberty,) some two hundred and fifty strong, led by a Thomas Storrow Brown, an American resident for some time in the city. Stones were thrown, two or three pistol shots fired, the Constitutionlists compelled to retreat, owing to the number of their antagonists, and windows of obnoxious parties broken. Tidings of the affray speedily spread, the Loyalists gathered to the rescue; but the Sons of Liberty had disappeared. The Loyalists captured their banner, however, in a house, where also were found several guns, which were handed over to the authorities. The office of the *Vindicator* was next assailed, and its printing material thrown into the street.

On the 12th of November a proclamation was published by the Governor, directing the suppression of all unlawful meetings; and, on the 21st, a new "commission of the peace" for the District of Montreal was issued, weeding the magistracy of about sixty persons supposed to be disaffected. Bodies of armed peasantry now began to assemble near the Richelieu River, particularly at St John's and Chambly; and Sir John Colborne, perceiving that the crisis was near at hand, moved to Montreal, where he had gradually been concentrating the troops withdrawn from Upper Canada, and all that could be spared from Quebec. At the same time volunteer companies of infantry, artillery, and cavalry were formed, and rapidly filled up by the loyal inhabitants, while addresses and offers of assistance poured in from the militia of the sister province. In Nova Scotia and New Brunswick the same loyal spirit prevailed.

Meanwhile warrants had been issued, on the 16th of the month, for the apprehension of Papineau, Brown, O'Callaghan, the editor of the defunct *Vindicator*, and some others, on charges of high treason. The three first managed to evade the officers charged with their apprehension, and fled to the Richelieu, where the insurgents were now fully prepared to rise at the bidding of their chiefs. At the same time, a party of eighteen volunteer cavalry were detached to St John's to capture two persons there, accused

of treasonable practices. They quietly effected their purpose, but as they returned next day were attacked by a body of armed habitants, securely posted behind a fence, who, after wounding four of their number and several horses, compelled them to retreat, and rescued the prisoners.

This success greatly elated the insurgents, and the flight of Papineau and several of their other chiefs from Montreal becoming known, they collected in considerable numbers at the village of Debartzch, in the parish of St Charles, where Brown commanded ; and at St Denis, on the Richelieu, where Dr Wolfred Nelson, who had thrown by the scalpel and taken to the sword, directed their movements. Descended from a respectable English family by his father's side, while his mother was the daughter of a U. E. Loyalist, Nelson was born at Montreal in 1792. At the early age of fourteen he was apprenticed to a surgeon of the military medical staff, and in 1811 became a duly licensed practitioner. He shortly after settled at St Denis, on the Richelieu River, became thoroughly identified with the French population, and as a medical man in large practice, and the proprietor of an extensive brewery and distillery, he acquired great influence with the simple *habitants*. Having represented the district in Parliament, he was brought into immediate contact with Papineau, imbibed completely his republican principles, and now used his authority and influence to carry them into treasonable practice.

The disputes touching the Maine boundary line, and the number of persons thrown out of their ordinary mode of living in the United States, by the late commercial disasters there, led the rebel leaders to be very sanguine of succour from that direction. Both St Charles and St Denis were favourably situated for keeping open their communication with the frontier, and General Colborne, being aware of this advantage, determined to check the movement ere it became more formidable, despite the wretched state of the roads and bad weather. Colonel Gore was accordingly detached from Montreal with two hundred infantry, a party of volunteer cavalry, and three guns to attack St Denis ; while Lieutenant-Colonel Wetherall, recently stationed at Chambly, was directed to move down the Richelieu against St Charles. The positions to be attacked were about seven miles apart.

A steamboat conveyed Gore's detachment to William Henry, on the afternoon of the 22d. At this point it was reinforced by a company of infantry stationed there, and at ten o'clock at night, amid stormy showers of sleet and rain, which froze as they fell,

proceeded along a wretched clay by-road to St Denis, distant sixteen miles. This route was taken in order to avoid the intermediate village of St Ours, where a body of insurgents were strongly posted, and several bridges along the principal road, which were supposed to have been broken down. During all that night did the troops march through mud and half-frozen slush, at the rate of a mile and a half an hour, and next morning, at half-past nine o'clock, found themselves in the neighbourhood of St Denis.

Meanwhile, Wolfred Nelson had been apprised of the simultaneous movement against his post and St Charles, and threw out scouting parties before day, on the morning of the 23d, to watch the approach of the troops, and break down the wooden bridges to retard their advance. About two o'clock on the preceding night, Lieutenant Weir, charged with despatches for Wetherall, had been captured by the insurgent guards, and taken to Nelson's house. He was dressed in coloured clothes, stated his name and rank with considerable reluctance, and after declining to partake either of refreshment or retire to rest, was given in charge by the Doctor to "*three trust-worthy habitants*" to be retained as a prisoner.\*

Shortly before day the alarm spread far and near, and bodies of insurgent peasantry pushed rapidly in from the surrounding country to support their comrades already in the village, where a force of three or four hundred men† was soon collected, and posted with great judgment in buildings flanking and covering one another. In reconnoitring the advancing troops, breaking down bridges, and taking up defensive positions, Nelson showed considerable military skill, and was evidently better adapted by nature for a partisan leader, than for a physician or a distiller. The courage of the Doctor appeared in strange contrast with the cowardice of Papineau, who since his flight from Montreal had lurked at St Denis. Here he remained as Nelson's guest till the appearance of the troops, when, instead of heading his misguided followers like a brave man, and showing them that he could fight as well as talk, he abandoned them in the moment of danger, and fled to Yamaska on the St Hyacinthe river, whence he subsequently made his way into the United States. No excuses—no sophistry can palliate this act. No consideration should have made him desert his friends at such a time. Had he gallantly stood his

\* Wolfred Nelson's Narrative.

† It does not appear that at any period of the attack there was a larger number than five hundred habitants in the village.



ground, and borne himself like a man, the circumstance would have atoned, in the opinion of posterity, for much of his folly; whereas, the fact of his cowardly flight must stamp him with enduring ignominy.

A strong loop-holed or many-windowed dwelling-house, or building of any kind surrounded by others affording positions for a flanking or cross-fire, is always an admirable defensive position, when an assailing force lacks heavy artillery. Colonel Gore found this to be the case to his cost in the attack on St Denis. The single field gun he had been able to bring on, made little impression on the buildings of the village, and although he attempted again and again, from ten o'clock in the forenoon, till four in the afternoon, to turn the insurgents' position, he was completely foiled, and thought it prudent to retreat as the peasantry were now rapidly collecting, and he had already sustained a loss of six killed, and one officer, (Captain Markham,) and sixteen men wounded. Five of the latter were left behind, and treated with the utmost humanity by Nelson. After endeavouring for several hours to drag it through the horrible roads, the gun, a brass one, was spiked and abandoned.

The loss of the insurgents was much greater than that of the troops, being thirteen killed and several wounded. Still, the victory was decidedly on their side, and they had effectually prevented the sheriff from executing the warrants for the apprehension of Nelson and others. But they stained their triumph by the cowardly and cruel murder of the unfortunate Weir. When the firing commenced, his guard pinioned his arms with a rope, and put him into a cart, with the view of taking him to the rebel head-quarters at St Charles. Possibly disliking his uncomfortable position, or fancying he might be able to make his escape, he jumped from the cart ere it had quit the village, and, as it is said in defence of the barbarous act of his murder, struck at his guards, though how, unless with his feet, it is difficult to imagine, as his arms were still bound. In the scuffle he was mercilessly shot, sabred, hacked and stabbed, as though he had been a mad dog, and not a pinioned and defenceless human being; and when the wretched man, maimed and bleeding from numerous wounds, sought shelter beneath the cart, he was dragged forth and foully murdered in the presence of a crowd of spectators. No more savage act marks the whole annals of Canada. And yet, one of the barbarous villains who perpetrated it was subsequently acquitted, at Montreal, by a perjured jury of his countrymen.

Their victory at St Denis raised the courage of the insurgents, and their scouting parties swept the country in every direction. The

steamer *Varennés*, laden with supplies for Gore's harassed force, was fired at from St Ours, and compelled to put back; and the communication with Montreal rendered extremely difficult and irregular. But the insurgents had achieved their last success in this ill-advised and wretchedly organised rebellion. Wetherall, pursuant to his instructions, moved down the Richelieu from Chambly, with some three hundred infantry, a small body of cavalry, and two guns, to assail the intrenched position of the enemy at St Charles. At St Hilaire he learned of the repulse of Gore before St Denis, and halted to await the arrival of some other troops, whom he now directed to join him, and fresh instructions from Montreal. But receiving no new orders from head-quarters, and the additional troops having arrived, he pushed forward to attack the insurgents. Desirous to avoid the shedding of blood, he sent them word that if they dispersed peaceably they should not be injured. Their general, Brown, sent a message in return to the effect, that if Wetherall's troops laid down their arms they should be permitted to pass unmolested.\* Brown's conduct immediately afterwards did not correspond with this piece of braggadocio. He fled ere the action had almost begun, leaving his followers, who might number one thousand,† to take care of themselves.

A few rounds from Wetherall's guns breached the poorly constructed intrenchment, when his troops swept rapidly through, and scattered the wretchedly-armed insurgents with the bayonet. Fifty-six of their dead were counted on the ground, and several others died miserably in the burned houses. Their wounded and prisoners were few in comparison. The troops gave little quarter, and bitterly revenged the murdered Weir: their loss was three killed and eighteen wounded.

On the following day Wetherall dispersed a body of armed habitants at Point Olivier, and captured two small guns. On the 2d of December Gore paid another visit to St Denis with a stronger force than before. He found it abandoned, Nelson had fled, and his buildings, as well as the others from which the troops had been fired at, were given to the flames, and sacked by the enraged soldiers and volunteers. The abandoned gun was now recovered, as well as the body of the unfortunate Weir, which had been thrown into the river, and kept down by large stones.

\* Narrative of Thomas Storow Brown.

† Brown appears to say in his statement that the number was much smaller. But as he endeavours to conceal his own cowardice, it is difficult to believe him. The number seems to have been as above.

On the 5th of December the Governor issued a proclamation, declaring martial law in force in the district of Montreal. Large rewards had been already offered for the capture of Papineau, and divers others charged with the crime of high treason. £500 were now offered for the apprehension of the murderers of Weir, and £300 for the capture of the persons who had barbarously killed Joseph Chartrand, a volunteer private of the parish of St John.

The prompt measures taken by Sir John Colborne crushed out rebellion in the counties along the Richelieu, and before it could receive aid from the United States. Meanwhile, a body of sympathisers from Swanton in Vermont, composed principally of refugee Canadians, had taken post at St Armands, under the command of Bouchette and Gagnon. Lieutenant-Colonel Hughes, of the 24th, was directed to dislodge these with six hundred troops; but the loyal volunteers of the frontier townships had already defeated and dispersed them, and captured a few prisoners, among whom was Bouchette, before he could march from St John's. The disaffected counties were now swept in every direction by the military and volunteers, and the jail of Montreal soon crowded with insurgent prisoners. Among these was Wolfred Nelson, who, after traversing by-roads and woods for ten days, swimming rivers and sleeping in the snow, was captured in the eastern townships, the militia of which, having obtained arms from the Government, were now thoroughly on the alert.

In Quebec the British inhabitants had come forward unanimously to offer their services to the Government, and were promptly formed into volunteer companies. A portion of these companies were embodied in a battalion one thousand strong, which with the other volunteers were soon able to perform the garrison duties of the city, and allow the troops to be withdrawn to Montreal. Aided by this reinforcement, and the insurgent gatherings on the Richelieu having been effectually suppressed, General Colborne now resolved to make a movement against St Eustache, lying nineteen miles to the north-west of Montreal, where a considerable body of the disaffected had established themselves, under the leadership of Amury Girod, appointed by Papineau to command north of the St Lawrence. A large number of the loyal inhabitants in this direction had been plundered by the insurgents, still ignorant of the disasters on the Richelieu, threatened in many cases with massacre, and compelled to take refuge in Montreal.

Every preparation having been completed, Sir John Colborne, on the 13th December, quitted Montreal amid the cheers of its loyal

citizens, at the head of two thousand men, including a body of cavalry and artillery. The ensuing night was passed at St Martin's, and next morning the troops crossed the Ottawa on the ice to St Eustache. The principal position of the rebels, who numbered about one thousand, was at the village church, now surrounded by a strong barricade, which was soon breached, however, by the fire of the artillery, when it was promptly carried by storm, and its defenders slain, captured, or driven out. The parsonage and manor houses, also occupied by the enemy, shared the same fate, and all these were soon wrapt in flames. A fresh wind blew at the time, and sixty adjoining buildings were speedily enveloped in one general conflagration. Some of the insurgents had taken refuge in the steeple of the church, and perished miserably in the flames, to the horror and distress of the spectators, who were unable to rescue them. Their entire loss was upwards of one hundred killed, nearly the same number wounded, and one hundred and eighteen prisoners. Their leader, Girod, like Brown at St Charles, deserted them soon after the firing commenced, under the pretence of bringing up reinforcements; but finding it impossible to escape, so narrowly was he pursued, he shot himself in the head, four days afterwards, a short distance below Montreal.

General Colborne next moved upon St Benoit, which had been the hotbed of sedition in that quarter, where two hundred and fifty men, drawn up in line, with white flags, surrendered and implored clemency. With exception of their leaders they were all humanely dismissed. Detachments of regulars and volunteers were also sent to other parts of the district, to disperse any bodies of insurgents which might still keep together. Several of the volunteers had been injured in their properties by the insurgents, and now took vengeance on the latter by burning their dwellings. Having completely dispersed the armed assemblages, and awed the disaffected, Sir John Colborne returned on the 17th to Montreal.

The firm attitude assumed by the Government, and the success which now so invariably attended the military movements, made a salutary impression on the habitants; and, in several quarters, meetings were held at which loyal resolutions were passed. In Vermont a proclamation was issued by Governor Jemison enjoining strict neutrality on the population; but it had very little effect in subsequently restraining the turbulent and ungovernable brigands, who had now collected on the frontier, and were ready for anything which promised plunder or unpunished robbery.

In accordance with his wishes, the Colonial Secretary, while fully

indorsing the course he had pursued, recalled Lord Gosford, of which measure intelligence reached Quebec on the 13th of January. He left for Boston, *en route* to England, on the 26th of February, receiving several addresses prior to his departure, and Sir John Colborne assumed the reins of civil power till another Governor should be appointed.

Martial law was still continued in the district of Montreal. On the 22d of February a general order was issued, directing the habitants of the counties of La Prairie, Chambly, and L'Acadie to deliver up their arms to the nearest justices of the peace or militia officers, within one month.

On the 28th, a body of six hundred refugees, who had fled the province in December, recrossed the frontier under the leadership of Robert Nelson, a brother of Wolfred, and a Dr Cote, with fifteen hundred stand of arms and three field-pieces, to organise another outbreak. But finding the gallant frontier militia and some troops gathering to oppose them, they returned into the United States, were met by General Wool, who had pursued them from Plattsburg, (the American Government being at length shamed into active interference,) and compelled to surrender their arms and warlike munitions. Nelson and Cote were arrested, and delivered over to the authorities of the State, but were soon again at liberty. "A declaration of independence" was issued during this brief inroad by Nelson, to which he appended his name as "President of the Provisional Government."

Meanwhile, an act had been passed by the Imperial Parliament, in the beginning of February, suspending the Constitution of Lower Canada, and making temporary provision for its government by the creation of a Special Council, whose decrees were to have the same force as the acts of a Legislature. At the same time, the Earl of Durham was appointed Governor-General, and her Majesty's High Commissioner, "for the adjustment of certain important affairs affecting the provinces of Upper and Lower Canada." On the 29th of March, the "Act suspending the Constitution" was proclaimed in the *Quebec Gazette* by authority, and, on the 5th of April, the Special Council, composed of an equal number of persons of French and British origin, were summoned to meet at Montreal on the 18th. This council at once decreed that their ordinances should take effect immediately on being passed: their next step was to suspend the Habeas Corpus Act until the 14th of the following August, in order to allow Lord Durham to adopt more summary measures with regard to the insurgents in prison.

Matters having by this time assumed a more peaceable aspect, the

volunteer militia were permitted to return to their homes, and on the 3d of May a proclamation discontinuing martial law was published.

#### THE GOVERNMENT OF THE EARL OF DURHAM.

The Earl of Durham arrived at Quebec on the 27th of May, assumed charge of the government, and two days afterwards issued a proclamation, briefly stating the policy he proposed to pursue. "The honest and conscientious advocate of reform, and of the amelioration of defective institutions, will receive from me," he said, "without distinction of party, races, or politics, that assistance and encouragement which their patriotism has a right to command; but the disturbers of the public peace will find in me an uncompromising opponent. People of British America, I beg you to consider me as a friend and an arbitrator, ready at all times to listen to your wishes, complaints, and grievances, and fully determined to act with the strictest impartiality. If you, on your side, will abjure all party and sectarian animosities, and unite with me in the blessed work of peace and harmony, I feel assured that I can lay the foundation of such a system of government as will protect the rights and interests of all classes, allay all dissensions, and permanently establish, under Divine Providence, the wealth, greatness, and prosperity, of which such inexhaustible elements are to be found in these fertile countries." He amply redeemed his promise. Never did any public man act more disinterestedly than Lord Durham. His celebrated report is a lasting monument of elaborate research, impartial scrutiny, and historical worth.

Considerable reinforcements had already arrived from England and Halifax, as well as several vessels of war, and the prospect of successful revolt was now more slender than ever. Still, disaffection had not yet ceased to exist, and Papineau's partisans were already organising another armed force with a view to the establishment of the Republic of Lower Canada.

One of Lord Durham's first measures was to procure an accurate return of the prisoners in the several jails of the province, with the depositions against each, and a list of the unexecuted warrants against parties who had fled the country. The old Executive Council was next dissolved, as well as the Special Council recently constituted under the Suspension Act. A new Executive Council was, however, soon appointed. A commission formed to inquire into the mode of disposing of Crown lands brought many abuses to light. Its report was favourable to the squatters, and recommended that they should be allowed the right of pre-emption.

Up to the present, no persons had been tried for high treason, and large numbers still remained in the Montreal jail to be disposed of. In the excited state of the public mind, it would be difficult to find an impartial jury, should they be brought to trial, and Lord Durham's mission being one of peace he was unwilling to resort to court-martial. In this dilemma he had recourse to an expedient which, being at variance with all established precedent and law, created a large amount of criticism both in Canada and England. It was determined to release the minor offenders, and the principal ones were induced to place themselves at the disposal of the Governor-General, waiving all right to a trial. A new Special Council was accordingly summoned, in order to give its sanction to the line of policy Lord Durham now determined to pursue. On the 28th of June, the day in which this council assembled, they issued an edict banishing Wolfred Nelson, Bouchette, Gauvin, Viger, and five others of the leading insurgents, then in prison at Montreal, to Bermuda, and threatening the penalty of death on Papineau and others, if they returned to Canada without permission. This was certainly a high-handed procedure; but, at the same time, it released the Governor-General from a serious dilemma, leaned to mercy's side, and, although it established an arbitrary and dangerous precedent, was, therefore, to a great extent excusable.

The Home Ministry approved of these measures. Not so with the British Parliament, which subsequently annulled the ordinance, while, at the same time, it passed an act of indemnity to shield the Governor and his Special Council from any future proceedings which might arise out of their illegal course. In Canada, the general feeling was that the act exiling the principal offenders, and releasing the others, on giving security for good behaviour, was one of clemency, and necessitated by the condition of the country. The trial of the murderers of Chartrand, and their acquittal in the face of clear evidence against them, in the course of the summer, went far to exonerate the Governor, as did also the acquittal of one of the murderers of Weir at the following term.

The censure passed upon his conduct by the Imperial Parliament led Lord Durham to determine on his immediate resignation. After elevating Mr Stuart to the position of Chief-Justice of the province, vacated by the retirement of Mr Sewell, he departed for England on the 3d November, leaving Sir John Colborne, who was soon afterwards appointed Governor-General, in charge of the government.

Princely in his style of living, indefatigable in business, energetic

and decided though haughty in manner, and sincerely desirous to benefit the Canadas, Lord Durham's departure was deeply regretted by a large proportion of the inhabitants, who looked upon him as the man adapted for the crisis. Yet, short as his administration had been, no individual ever benefited Canada more. His admirable report paved the way to a great extent to the subsequent union of these provinces, by which both have gained so largely, commenced the fusion of the two races, which should have begun at the Conquest, and led to responsible government and a general amelioration of the colonial policy of Great Britain. The present prosperous condition of this country affords the best commentary on his wisdom and disinterested patriotism; and the almost total absence of political excitement, and the contented condition of the people at large, constitute the most durable monument to his memory. He did not long survive his mission to Canada. His health was naturally delicate. The voyages to and from England, and the censure on his administration by the Imperial Parliament, increased the irritation of his system, and he died on the 28th of July 1840, regretted by many friends.

#### THE GOVERNMENT OF SIR JOHN COLBORNE.

Countenanced by the unprincipled portion of the American border population, secret associations had been formed along the frontier of both Canadas, and a combined system of insurrection organised. The departure of Lord Durham would appear to have been the signal for a second outbreak, which this time was headed in Lower Canada by Dr Robert Nelson, who was to be president of the proposed new republic. It commenced at Beauharnois, on the evening of the 3d of November, with an attack on the *Henry Brougham* steamer, which had put into that place as usual, by four hundred insurgents, who made prisoners of her passengers, and injured her machinery to prevent her from proceeding. They next surrounded the house of the seignior, Mr Ellis, made prisoners also of its inmates, and captured sixteen stand of arms. The rising was general throughout the whole district of Montreal, owing to preconcerted arrangement, and from all directions the British inhabitants flocked into the city for protection. Near La Prairie a man of the name of Walker, who had become particularly obnoxious to the rebels, was murdered in his house, but his wife and family were enabled to escape owing to the sudden appearance of a party of the 7th Hussars. The rails on the St John's railroad were torn up for some distance to prevent the passage of the cars, mail carriers were stopped, and



bodies of men assembled at different points on the Richelieu, expecting to be there supplied with arms. Being disappointed in this respect the greater part returned home ; but a few pushed on to Napierville, a short distance within the Canadian frontier, where Robert Nelson had established his head-quarters. On the following day (Sunday) a well-armed body of insurgents moved from Chateaugay against the Indian village of Caughnawaga, with the view of seizing the arms and stores there. Fortunately their approach was discovered by a squaw, who returned swiftly to apprise the warriors, then at church, of the approach of a hostile force. These promptly rushed out, seized the muskets, tomakawks, axes, and pitchforks next to hand, and raising their terrible Iroquois war-whoop charged the invaders, put them to flight, and disarmed and captured sixty-four of their number. This gallant action materially damped the ardour of the insurgents, and inspired the loyal with renewed confidence and courage.

Martial law was now put in force a second time in the district of Montreal, and a number of parties arrested on suspicion of disaffection. On the 9th the Special Council again assembled, and passed an ordinance suspending the Habeas Corpus Law throughout the province, while the rebellion continued ; giving a discretionary power to the Governor, however, to restore it in any of the districts when he deemed proper.

Meanwhile, General Colborne, having previously directed the movement of troops against Napierville, where Nelson had now collected a large body of insurgents, and also issued a second declaration of independence, which caused a run on the Montreal banks, proceeded on the 6th to take the command in person. On the St Lawrence the rebels still retained possession of Beauharnois ; but this post the General left to be disposed of by the gallant Glengarry militia, two regiments of whom, under Colonels M'Donald and Fraser, were already moving down against it, together with a detachment of the 71st regiment.

While these prompt measures were being taken for the immediate suppression of this second rebellion, the brave militia of Odelltown had organised themselves, with the view of interrupting the communication of Nelson with Rouse's Point in his rear, and from whence he expected to receive both reinforcements and supplies. Cote and Gagnon, two of the rebel leaders, collected here a considerable body of American sympathisers and habitant insurgents, and resolved to dislodge a body of the Odelltown militia who had taken post at La Colle Mill, the scene of Wilkinson's defeat in 1814,

and thus open a communication with Nelson. They accordingly advanced against the mill at nine o'clock on the morning of the 6th, with a force five hundred strong and one small gun, and speedily drove in an outlying picket of the militia. But, a reinforcement of the Hemmingford militia soon coming up to aid their comrades, the insurgents were gallantly charged, their gun, four hundred stand of arms, and a quantity of ammunition captured, and their whole body driven into rapid and inglorious flight across the lines, leaving eleven dead and eight prisoners behind. On the side of the loyalists two were killed, and two wounded.

Nelson's position at Napierville now became extremely critical. In his rear was the victorious frontier militia; while Sir John Colborne was steadily advancing against his front, with an overwhelming force of regular infantry and cavalry. He accordingly determined to fall back upon Odelltown with part of his forces, disperse the militia, two hundred in number, posted there, and thus open his line of communication with the United States, so as to secure a safe retreat in case of necessity. In pursuance of this resolution he moved against Odelltown, on the morning of the 9th, with eight hundred men armed with muskets and fowling-pieces, and two hundred more carrying pikes and swords. Fortunately, as this formidable force was about to enter the village, Lieutenant-Colonel Taylor, an officer sent out expressly from England to organise the militia, arrived on the ground, assumed command of the two hundred loyalists, and posted them in the Methodist church, or in good positions close by.

Nelson began the battle at eleven o'clock by driving in Taylor's advanced picket, and then moved his force in solid column against the church. The gun captured at La Colle now did good service. Loaded with grape, its first discharge raked the advancing enemy with deadly effect, and opened a long lane through his ranks. Two other discharges were also given with success; but the insurgents pushed boldly on, and soon compelled the gunners to abandon it, and retire to the church, on the road immediately by which it was posted. Again and again did the enemy endeavour to capture this gun; but the militia, although harassed and fatigued by long and arduous duty, fought stoutly, swept them back with close and well-aimed volleys, and even sallied out and made repeated charges with the bayonet. For two hours and a half did the action continue, and then, repulsed in every attempt to carry the church, the appearance of a body of one hundred militia advancing to aid their comrades, on their flank, completely disheartened the insurgents, who

fled in every direction—part back to Napierville, and part across the lines into the United States. Among the latter was Robert Nelson, who soon procuring a horse rode full speed to Plattsburg. Previous to the battle some of the insurgents suspected he was about to desert them, and were with difficulty prevented from giving him up to Sir John Colborne. He gladly seized the first opportunity, therefore, to escape from his *Patriot* associates and leave them to their fate. In this action, the loss of the rebels was nearly sixty killed, besides a large number wounded. The loyalists had one captain (M<sup>c</sup>Allister) and four men killed, and one lieutenant and nine men wounded. A considerable body of insurgents still remained at Napierville; but on the approach of General Colborne they betook themselves to flight, with the British cavalry, who made several prisoners, rapidly in pursuit, which was continued from daylight till the evening of the 10th.

On the same day on which these occurrences took place, one thousand Glengarry men and a detachment of the 71st landed early in the morning near the village of Beauharnois, upon which they immediately marched. The rebels after a brief resistance abandoned the position and fled. A small body of insurgents assembled near Chambly was next dispersed by two companies of the 6th regiment; and thus, in the brief space of seven days, ended the second Lower Canadian rebellion. Yet, short as had been its existence, it produced a full harvest of misery and crime. At its commencement the habitants had abused their temporary power by driving the loyalists from their homes, burning their barns and houses, and plundering them of their cattle and provisions. The latter bitterly retaliated towards its close, and the fire-charred ruins of many once happy homes throughout the county of La Prairie long bore witness to the miseries of civil war. Nothing but the sharpest injuries can justify an appeal to the sword. Posterity must stigmatise the Canadian rebellion as a causeless one. All the injuries sought to be redressed could have been removed by constitutional agitation. Civil war should never be resorted to in order to remedy political evils, save in the last and direst extremity.

But the bloody and misery-inflicting drama had not yet been brought to a close. The lenity shown during the previous rebellion had been decidedly abused, and was attributed, by even those who had benefited the most by it, to the weakness of the Government. Trial by jury was out of the question. Martial law, the code of the sword, still prevailed; so a court-martial was now directed by a general order to assemble for the trial of the captive insurgents.

It is an impartial tribunal, however, and only admits of the most positive and direct proof. The unfortunate insurgents had a fair trial. Twelve suffered the extreme penalty of the law, and a number of others were sentenced to transportation. Subsequently, during the winter, bands of insurgent marauders occasionally crossed the frontier into Lower Canada, and committed depredations upon the loyal inhabitants; but every semblance of rebellion had now disappeared in that province. On each occasion it was trampled out almost as soon as it had reared its head.

## CHAPTER XXI. .

UPPER CANADA FROM 1836 TO 1838.

THE ADMINISTRATION OF SIR FRANCIS BOND HEAD.

GENERAL officers, in the persons of Sir Peregrine Maitland and Sir John Colborne, had not made popular Canadian Governors by any means. Their stern military habits—their stiff and unbending manners, were little adapted to win favour with a community verging towards democracy; and the Home Government were nearly at their wits' end as to who should be the pacificator of Upper Canada, and carry out there the same line of policy to be pursued in the other province by Lord Gosford. At length their choice fell upon a man wholly unknown in the arena of politics, a half-pay major in the army, and the Assistant Poor-Law Commissioner for the District of Kent, at a salary of £500 per annum, whose public reputation rested solely on his authorship of the "Rough Notes of a Ride over the Pampas," and "The Bubbles from the Nassau Brunnen." In November 1835, this individual, destined to be suddenly elevated to the governorship of an important province of the empire, and to achieve a large measure of public notoriety, was suddenly awakened one night in a little village inn, on the confines of Romney Marsh, by a King's messenger. To his great surprise, Major Sir Francis Head was presented with a despatch offering him the government of Upper Canada, on the strength, no doubt, of his presumed Liberal Whig principles, and his being the most pliant individual within reach at the time. If any one could possibly conciliate the Bidwells, the Mackenzies, and the Rolphs of Upper Canada, a poor half-pay major, a dashing superficial author, and an outside hanger-on of the ministry, must be the man. It was an equally strange and imprudent appointment, and had a fitting counterpart in the comic mistake the Colonial Minister had made, in taking an inconsistent Tory for a consistent Liberal Whig.

Sir Francis Head knew as much about the inhabitants of Canada, their past condition and present wants, as the bulk of the English people, and that was almost nothing whatever. But, then, from the moment he had consented to accept of the government of Upper Canada, (for at first he shrank from the proffered honour,) he had studied Mackenzie's Grievance Book with great attention, and had the benefit besides of Lord Glenelg's information and instructions. Thus posted up in Canadian literature, politics, and history, the clever half-pay major, with a sharp eye no doubt to another book and a light purse, set out, *via* Liverpool and New York, to supersede Sir John Colborne in the Lieutenant-Governorship of Upper Canada. He arrived in his province the last days of January, having crossed the river at Niagara. Posting to Toronto, he found the Legislature, which had been convened by his predecessor on the 14th of the month, in full session, and was thus brought into immediate and direct collision with political parties he knew very little about. His appointment had been highly acceptable to the Reform party. Its press was loud in his praise, and fully disposed to give him a good reception, pursuant to the suggestion of Joseph Hume in a letter to Mackenzie. He was accordingly elevated by the public voice to the position of a distinguished politician, who must, as a mere matter of course, renovate and remodel the whole social and political system of the province.

Sir Francis's own narrative of his gubernatorial fitness, supplies a curious commentary on the sagacity of Mackenzie and his friends. "As I was no more connected with human politics," said he, speaking of his first entrance into Toronto, "than the horses that were drawing me—as I never had joined any political party, had never attended a political discussion, had never even voted at an election, nor taken any part in one—it was with no little surprise I observed the walls placarded with large letters which designated me as Sir Francis Head, a tried Reformer." On the other hand, the Conservative party, which at this period was tolerably well organised, regarded his advent with considerable apprehension, and all looked forward to coming events with the deepest interest.

The political struggle in Lower Canada, and the extreme position assumed by the majority of its Assembly, had undoubtedly tainted the ultra section of the Reform party of the upper province, with a desire for republican independence. Sir Francis Head consequently soon found that he was completely astray in supposing he had all the grievances of Upper Canada in the "Seventh Report," and that Lord Glenelg's remedies were the genuine nostrums for the occasion.

Mr Bidwell's language to him during a private interview, shortly after his arrival, completely undeceived him on this head. He stated "that there were many grievances not detailed in that book, which the people had long endured with patience ; *that there was no desire to rebel*, but a morbid feeling of dissatisfaction was daily increasing. The fact that Sir Francis Head was the bearer of new instructions, had alone induced him and his friends to alter their determination never to meet in the Assembly again." Mackenzie was equally indisposed to abide by his own report,\* and it was plainly evident that his and Bidwell's immediate party, like Papineau in Lower Canada, had already caught at the idea of a total independence of Great Britain.

Sir Francis Head was a tolerably shrewd judge of human nature, and thus let completely behind the scenes by Bidwell and Mackenzie, he had little difficulty in discovering they had an ulterior object in view. It was unfortunate for the credit of the Reform party, and for his own reputation, that he was thus immediately brought into contact with the leaders of its extreme section. With respect to Canadian questions, the Governor's mind was little better than a mere blank. Naturally superficial, imprudent, and impulsive, he was consequently, to a great extent, completely at the mercy of first impressions, which he frequently carried out with that dogged persistence so peculiar to Englishmen in general. Circumstances at the time unfortunately tended to elevate men like Bidwell and Mackenzie into the post of popular leaders, and to throw such rational and constitutional lovers of liberty, as Robert Baldwin, and others of the same moderate school, into the shade. Sir Francis Head committed a grave error in supposing that the bulk of the Reform party was tainted with the same spirit of disloyalty to the Crown which he had so quickly detected in its ostensible leaders. The conclusion which he thus jumped at, so rapidly and inconsiderately, materially contributed to shape his future policy. His first concessions to the Reform party may, therefore, be safely regarded as being made more with the view to cloak and justify his course, in a seeming desire for moderation, than with a sincere purpose to conciliate the dissatisfied, or ameliorate the evils complained of.

One of Sir Francis Head's first public acts was as singular as his appointment to the government, and was evidently the result of his Mackenzie and Bidwell impressions. Instead of making known the authority with which he had been invested in the usual manner by message to the Legislature, he went down to the Council Chamber,

\* Sir Francis Head's Narrative, pp. 33-35.

summoned the Assembly before him, and made them a second "opening speech" during the same session. The speech itself was almost equally singular with the course pursued in making it. After announcing his accession to the government of the province, he informed the House that he had a communication (alluding to Lord Glenelg's instructions to himself) to make to them. "This communication I shall submit to you in a message," said he, "which will at once inform you of the difficult and most important duties about to devolve upon me as well as yourselves. As regards myself, I have nothing either to promise or profess, but I trust I shall not call in vain upon you to give me that *loyal*, constitutional, unbiassed, and fearless assistance, which your King expects, and which the rising interests of your country require."

The singularity of this speech caused some merriment, and a good deal of doubt among both parties. The Conservatives wavered in their preconceived notions of the Governor; but they, as well as the Reformers, were puzzled by the contradictory and singularly uncertain tone of his instructions. One thing, however, was clear, neither the principle of responsible government nor that of an elective Legislative Council had been conceded. On all other points Lord Glenelg professed the disposition of the Crown to redress the grievances complained of. The Reform majority in the Assembly were dissatisfied with the policy of the Colonial Office, a feeling evinced by their instituting an inquiry as to whether a breach of their privileges had been committed by the Governor, in coming down to make them a speech instead of sending a message. One precedent was found in the whole experience of the English House of Commons, and so the matter ended.

From the tone of his speech, and the general tenor of the Governor's conduct, the astute members of the almost extinct Family Compact, who still continued in public life, and now aimed at the leadership of the Conservative party, speedily saw they had gained some advantage. With its nature, however, they were as yet wholly unacquainted, not being aware how effectually Bidwell and Mackenzie had been seconding their views, by alarming Sir Francis with the possible contingency of rebellion. They industriously endeavoured, nevertheless, to improve their presumed, though indistinct, advantage, by presenting the action of the Assembly touching their inquiry whether his speech was not a breach of privilege, in the most unfavourable light. That this movement met with some success, was evident by their endeavouring, shortly afterwards, to induce



the Governor to strengthen the Executive Council from their ranks, three of the old members having been dismissed.\*

Although there can be little doubt that the Mackenzie party had already frightened Sir Francis from presumed Whiggism into old-fashioned Toryism, the latter shrank from the indecency of at once running counter to every principle of his appointment, and allying himself with the remnant of the Family Compact. Little as he admitted he knew about politics, he instinctively disliked such a course, until, at least, he could conceal its more repulsive features, by a show of seeming moderation, and an apparent desire to conciliate the majority of the Assembly. He accordingly offered the vacant places in the Executive Council to Robert Baldwin, John Rolph, and John Henry Dunn, the Receiver-General. Mr Baldwin was eminently popular with Reformers of all grades—moderate, middle, and extreme—and Messrs Rolph and Dunn were also high in the confidence of their party.

These gentlemen at first refused to take office unless the old Tory councillors, viz., Peter Robinson, Commissioner of Crown Lands, G. H. Markland, Inspector-General, and Joseph Wells, Bursar of King's College, who were also Legislative Councillors, should be dismissed. This, however, was no part of Sir Francis's plan, who, aside from other considerations, fancied that by pitting three Tories against three Reformers in the council he would effectually retain all real power in his own hands. In defence of his refusal to dismiss the old councillors, he urged that he had other interests besides those of the Assembly to consider, that they already possessed their own legitimate power, and that to impart to them in addition an exclusive influence in the council, would be unconstitutional and unjust. "The step," he said, "would also have a tendency to connect him with party feeling, from which, as the representative of Majesty, he should stand wholly aloof." After maturely weighing their position, Mr Baldwin and his friends decided to take office, and were duly sworn in.

But Sir Francis Head's policy was a superficial one at best, and the attempt to acquire the arbitrary control of the executive power speedily recoiled upon himself. The old members of the council had too long ruled governors to be now ruled by a governor in turn, and the new ones had no disposition, for the sake of the mere emoluments of office, to make themselves odious with their party by ostensibly giving their countenance to unpopular measures, with which they had in reality nothing to do. The attempt showed a

\* Lord Durham's Report, p. 60.

thorough ignorance of his men, was a blunder of the shallowest kind, and tended to draw him into a position which at once compromised him with the people of Upper Canada, as well as with the Home Ministry.

Fancying that the Executive Council would retain place at any price, Sir Francis began to develop his policy, by appointing, on his own responsibility, some members of the Family Compact to vacant offices. These appointments were censured by the Assembly; while the council, finding their duties were restricted to land matters, and that they were apparently to be kept in ignorance of all those public measures, which popular opinion, nevertheless, attributed to their advice, remonstrated privately on the subject with the Governor. He requested them to make a formal representation of their views. This they accordingly did, on the 4th of March, in a firm and temperate manner, and the reply thereto left them no choice but to resign.\* Four other councillors† were immediately appointed, who were more tractable, and took office on the terms of the Governor, whom, however, they managed in a short time to subject to their views a very considerable extent.

The arbitrary course pursued by the Governor was apparently as unpalatable to the Conservative minority, as to the Reform majority of the Assembly. On the 14th of March, a resolution was passed by fifty-one in a House of fifty-three members, censuring the dismissal of the council, and asserting the principle of responsible government in the strongest and most unequivocal terms. On this resolution, an address to the Governor was based, on the 24th of the same month, regretting the dismissal of the old council, and declaring a want of confidence in the recent executive appointments he had made.

The excitement now became very great, and a recriminatory war of words took place between Sir Francis and the Assembly. But, in this contest the former proved an overmatch for his opponents. He bored them with long speeches in reply to addresses, appealed to the sympathy of the public by proclamation, and skilfully created a false and specious issue of the questions at stake.

Never was an imaginative author in such a congenial element before. The Lieutenant-Governor proved himself an adept at

\* Executive Council to Sir F. Head, 4th March 1836. Lord Durham's Report, p. 60. Sir F. Head's Narrative, pp. 50-60. *Canada as it Was, &c.*, pp. 182-186.

† These were Robert B. Sullivan, John Elmsley, Augustus Baldwin, and William Allan.

agitation, fairly beat Mackenzie at public meetings, by means of his numerous partisans, and the agitator defeated at his own profession, by another man fully as rash and impulsive as himself, was ultimately driven to shelter his dignity in rebellion, and thus justified the singular gyrations of his shallow antagonist. The people were really made to believe that the Constitution was threatened with imminent danger, that the Crown was menaced in the person of the Lieutenant-Governor of Upper Canada : so, forgetful of every other consideration, they determined to stand by him to the last extremity.

Sir Francis Head proved an excellent actor, and found his hands so strengthened by his growing popularity, that he felt himself in a position to regard with cool indifference an address from the Assembly to the Crown, praying to be relieved of their despotic Governor, and whom they now impeached of sundry misdemeanours, as well as statements in the House, which stigmatised him as a tyrant, and impugned his veracity. Having so far been successful in acquiring the sympathy and confidence of the people of Upper Canada, he laboured to produce the same results at the Colonial Office. "It is out of my power," he writes to Lord Glenelg, "to describe the joy and gladness expressed to me by all parties at the constitutional resistance I have made. But there is one question in everybody's mouth, Will the Lieutenant-Governor be supported by the Home Government? On your lordship's decision rests our possession of Canada."

The ostensible leaders of the Reform party, while they felt their position becoming more and more weakened, owing to the clever slashing demagoguism of Sir Francis, appeared to be quite unequal to the crisis in which they now found themselves. The more prudent, alarmed by the gathering storm, kept in the background, while the conduct of Bidwell, Mackenzie, and some others of the same school, placed them daily in a worse and more embarrassing position. Had they assumed a sound constitutional stand, refrained from all overt acts which could possibly be construed into a tendency to physical violence or rebellion—in short, had they rested solely upon moral suasion, they must in the end have succeeded in defeating the Lieutenant-Governor and driven him from the field, to "bubble" in some other part of the world. Nothing, certainly, could have been more impolitic than Mr Bidwell's act in laying Papineau's seditious letter before the House of Assembly, and in the endeavour to identify the progressive British Reform party of Upper Canada, with the non-progressive French Anti-British party of the other province. It showed clearly, as the sequel proved, how little

he understood the party of which he was ostensibly the leader, and that he lacked the rare powers of mind, the tact, and physical courage, necessary to direct successfully a great social and political movement.

The people of Upper had no real sympathy with the anti-executive party of Lower Canada, and however they might have squabbled among themselves, did not desire the interference of Papineau. Hence, the impolicy of Mr Bidwell in making his letter public. Sir Francis instinctively seized upon the occurrence, as most favourable for his purpose, and skilfully dovetailed this letter into one of his addresses with considerable dramatic effect. "The people of Canada," said he, "detest democracy, revere their constitutional charter, and are consequently stanch in their allegiance to their King." Alluding to Papineau's threat, that the people of the United States would assist a republican movement in Canada, he added, "In the name of every regiment of militia in Upper Canada, I publicly promulgate, Let them come if they dare." This was a clever climax, certainly, and so the curtain dropped on the first act of what may in a great measure unquestionably be called Sir Francis Head's rebellion.

Had this dramatic outburst—this skilful acting, for such it undoubtedly was—been constitutionally met, the excited loyalty of the stalwart yeomanry of Upper Canada, unused to such strange and stirring appeals, would have settled down into its wonted sober and steady love of liberty, and the people would have taken care equally well of themselves. Unfortunately, however, for the country, the majority of the Assembly completely lost their temper, thus giving the executive the vantage-ground, hurled anathemas at the head of the clever little Governor, and stopped the supplies, the last resort of an indignant Commons, unless they buckle on the sword. But if they stopped the supplies of the Government, the Government retorted by stopping theirs. Sir Francis refused his assent to every money bill passed during the session,—even to that for their own contingencies, so they had no wages to get this time. He followed up his recent advantages by proceeding in state to the House, on the 20th of April, and proroguing Parliament in a speech which severely animadverted upon the course pursued by the Assembly, and still further reduced them in the estimation of the public.

Sir Francis Head had been only a few weeks in the country, still he had created more political excitement than all his predecessors put together. For a man who admitted he knew little of politics, still less of the science of government, and nothing whatever of Canada, till he set foot on its soil, his progress in statesmanship

was, nevertheless, alarmingly rapid. He never reflected that great popular (like individual) excitement never lasts long, and that the period of reaction comes sooner or later, when the calmer judgment again acquires full scope.

In short, he sowed the wind, in exciting the passions of the masses, and reaped the whirlwind in the petty rebellion, of which he must ever stand convicted as the chief promoter. Had he taken time to acquire a just knowledge of the condition of the country—had he acted with calm and impartial wisdom, presuming that knowledge to have been acquired, Upper Canada would not have known the stigma of even partial rebellion. In dealing with the present, he lost sight of the future; and in endeavouring to acquire a temporary advantage, he rashly neglected a solid and secure success. The calm and temperate conduct of Lord Gosford forms a striking contrast to the course pursued by Sir Francis Head. That conduct made rebellion tenfold more odious and unnatural, while the singular acting of the latter, in a very great measure, produced and justified insurrection. His essay in government was decidedly of the “galloping and bubbling” school, and failed so completely that no British ministry has since allowed him to repeat it.

While almost every step taken by Sir Francis Head tended to complicate the public questions at issue, between the Reform party and the Colonial Office, more and more, he considered his administration had completely succeeded—that he had knocked the hydra of responsible government on the head at last—chuckled over his success, and vainly fancied he was about to become the pacificator of the province, and thus win golden opinions for himself in Downing Street. “I earnestly entreat you,” he writes to Lord Glenelg, “to put confidence in me, for I pledge my character to the result; I have overcome every difficulty, the game is won, the battle is gained as far as relates to this country. I would therefore request your lordship to send me no orders on the subject, but to allow me to let the thing work by itself.” This confident language could only be used by a superficial man, and was very unlike the sober and common-sense despatches of his predecessors.

The stormy termination of the recent session of the Legislature, the stoppage of the road and common-school moneys, the disaffection in Lower Canada, and his own exciting proclamations, produced such a ferment of loyalty throughout the province, that Sir Francis Head considered he might safely appeal to the people to rid the Assembly of those persons whose views he considered were opposed to British connexion. Numerous addresses were at this crisis pre-

sented to him, expressing confidence in his administration, and requesting him to dissolve the House.

It seems as if he had taken measures to secure the presentation of addresses of this character ; for, some time before, he wrote to Lord Glenelg that he anticipated such a course would be adopted. "I fully expect," said he, "that before a month has elapsed, the country will petition me to dissolve the present House of Assembly ; but until the feeling is quite ripe I shall not attend to it." In pursuance of this policy the Provincial Parliament was dissolved on the 28th of May, and writs issued for a new election, in which the whole influence of the executive was brought to bear against the Reform party. The result was that nearly all its principal leaders, including Mackenzie, Bidwell, and Perry, were beaten at the polls, and thus excluded from the House.\* It was the first election after the County of York had been divided, and Mackenzie stood for the

\* The following extract from Lord Durham's Report gives an excellent picture of the state of political feeling in Upper Canada at this period :—

"The contest which appeared to be thus commenced on the question of the responsibility of the Executive Council, was really decided on very different grounds. Sir F. Head, who appears to have thought that the maintenance of the connexion with Great Britain depended upon his triumph over the majority of the Assembly, embarked in the contest with a determination to use every influence in his power in order to bring it to a successful issue. He succeeded, in fact, in putting the issue in such a light before the province, that a great portion of the people really imagined that they were called upon to decide the question of separation by their votes. The dissolution, on which he ventured, when he thought the public mind sufficiently ripe, completely answered his expectations. The British, in particular, were roused by the proclaimed danger to the connexion with the mother-country ; they were indignant at some portions of the conduct and speeches of certain members of the late majority which seemed to mark a determined preference to American over British institutions. They were irritated by indications of hostility to British immigration which they saw, or fancied they saw, in some recent proceedings of the Assembly. Above all, not only they, but a great many others, had marked with envy the stupendous public works which were at that period producing their effect in the almost marvellous growth of the wealth and population of the neighbouring state of New York ; and they reproached the Assembly with what they considered an unwise economy, in preventing the undertaking or even completion of similar works, that might, as they fancied, have produced a similar development of the resources of Upper Canada. The general support of the British determined the elections in favour of the Government ; and though very large and close minorities, which in many cases supported the defeated candidates, marked the force which the Reformers could bring into the field, even in spite of the disadvantages under which they laboured from the momentary prejudices against them, and the unusual manner in which the Crown, by its representative, appeared to make itself a party in an electioneering contest, the result was the return of a very large majority hostile in politics to that of the late Assembly."

Second Riding. His opponent was Edward Thompson, a man without decided opinions of any kind, and, as a medium course, many of the more timid Reformers, alarmed by the cry of revolution raised by the Lieutenant-Governor, voted for him, swelling his majority to one hundred, out of a total of eight hundred and seventy-eight votes polled. Mackenzie's mortification was extreme, and at the close of the poll he retired to the house of a friend, and wept like a child over his defeat, and the apparent loss of his popularity. From this time, it would appear that he gave up all hopes of redress of existing evils, by constitutional means, and secretly resolved to have recourse to illegal measures to carry out his views. On the 4th of July following the election, he issued the first number of a newspaper termed *The Constitution*. It continued to be published until the November of the following year, and did much to inflame the public mind, and pave the way for rebellion.

The Reform party was not a little surprised at the unexpected position in which it found itself placed by the recent election, and the executive was speedily accused of using undue influence to procure the return of an Assembly favourable to its views. It was stated that patents for land had been issued to make voters for the occasion, and other measures taken of an equally improper character to secure a majority at the polls. Dr Duncombe proceeded to England, in order to press these facts upon the notice of the Colonial Minister, but without success. Sir Francis Head's representations continued to be received with considerable confidence by Lord Glenelg; and it would appear from statements subsequently made (1839) in the British Commons by Charles Buller, chief secretary to Lord Durham's mission, that the charges made against him on this point could not be, and had never been substantiated.

The pleasant sunshine of the Canadian summer tempted the Lieutenant-Governor to make a tour of the most interesting portions of the province. He descended the tranquil current of the magnificent St Lawrence, where it meanders amidst its thousand islands; sped along its rapids; shot down the timber slides of the Ottawa; bivouacked on the islands of Lake Huron; and held solemn conclave with Indian sachems at the grand council fire in the Great Manitoulin Island, and there procured the cession of a large tract of fertile land,\* much of which has since been settled.

The triumph which Sir Francis Head had won at the recent election was speedily clouded by the conduct of the Colonial Office, which, even ignorant as it was of Canadian matters, began gradually

\* The Emigrant, by Sir F. B. Head, pp. 121-153.

to arrive at the conclusion that he had not pursued the wisest course. This was owing in some measure, if not altogether, to the representations of the Gosford commission, which recommended a responsible executive, a political doctrine distinctly repudiated by Sir Francis, who finding himself in this contradictory position offered to resign.\* His apparent success, however, puzzled Lord Glenelg, and it was resolved to retain him in his post for the present. Still, it soon became evident that the principle of responsible government must ere long be conceded. The Liberal party of New Brunswick was taking the same ground, to a very great extent, as the Reform party of Upper Canada, and in the course of summer, instructions were sent to the Governor, Sir Archibald Campbell, to surrender the casual and territorial revenues to its Assembly, and to form a responsible executive. Proceeding on the ground that a concession to one North American province must necessarily be made to all, the Colonial Office on the 20th September forwarded a despatch to Sir Francis Head, instructing him to consider the directions to the Governor of New Brunswick as also applicable to Upper Canada.† Sir Archibald Campbell resigned sooner than carry out these measures, and Sir Francis Head being equally unwilling to adopt them for his guidance, the Colonial Office had not sufficient nerve to insist strongly on the execution of its resolves, which were permitted to remain in abeyance for a time.

The new Parliament assembled on the 8th of November. One of its first measures was to pass a supply bill. A number of other bills were also enacted during the session, among which was that erecting the first Court of Chancery in Upper Canada. Many of the bills passed were of a very liberal and progressive character, and highly

creditable to the industry and talents of the Legislature.  
 1837. Still, owing to the violent agitation kept up by Mackenzie and others of the same extreme school, the Reform party continued indignant and dissatisfied, and the majority of the Assembly soon found their popularity was rapidly on the wane, and that the Conservative party, should another election shortly occur, could scarcely hope for a majority. The rapidly declining health of the King rendered a dissolution, before the four years' term of the existing Assembly had expired, a very probable contingency. Accordingly, the novel expedient was resorted to, of passing an act to prevent the dissolution of Parliament, in the event of his death. The only precedent of the kind on record, is that of the Parliament which

\* Sir F. B. Head's Narrative, pp. 105, 106.

† London Quarterly Review, April 1839.



brought Charles I. to the scaffold. The session terminated on the 4th of March. The Governor's speech, when proroguing the House, contained little that was remarkable.

The close proximity of Canada to the United States led to very intimate commercial relations between the two countries; and, accordingly, the severe blow which the moneyed interests of the latter country sustained, in the earlier part of 1837, reacted unfavourably upon these provinces. While Canadians jealously contemplated the rapid progress of the United States, and drew conclusions unfavourable to a monarchical form of government, as not presenting equal facilities with a republic for the development of national prosperity, they had little idea of the unsound foundation on which a portion, at least, of their neighbours' success was based. They accordingly beheld with astonishment their commercial system completely prostrated, banks refusing to redeem their own notes, states repudiating their sovereign monetary engagements, hundreds of mercantile houses becoming bankrupt, and distrust, disorder, and ruin spreading in every direction, like a black cloud, over the much-vaunted prosperity of the Union.

In Lower Canada the banks imitated the example of similar institutions in the United States, and suspended payments in specie. The result was that their stocks decreased in value, and public confidence in their solvency was somewhat shaken. In Upper Canada, however, a contrary course was pursued. The banks continued to redeem their notes with specie, contracted their discounts, and boldly and honestly confronted the gathering storm.

Their course, in this respect, led to much dissatisfaction on the part of the mercantile community, and the general feeling was that payment in specie should be suspended, and discounting resumed. To his great credit, Sir Francis Head was opposed to a procedure of this kind, as a rotten system of bank accommodation, which must sooner or later prove injurious to the community, and produce a reaction of the same disastrous character as that in progress in the United States. Still, he deemed it advisable to summon Parliament, to take the modification of the charters of the banks into consideration, so as to allow them to suspend specie payments. The Legislature was accordingly convened on the 19th of June, and the matter at issue placed fully and fairly before it in the opening speech of the Governor, which was distinguished by much practical sense, although mixed up, it is true, with not a little of its opposite. One of the first measures of the Assembly was to elect Sir Allan Napier M'Nab as their Speaker, in room of Archibald M'Lean, who had accepted

a public situation and resigned his seat. They then proceeded to take the banking question into consideration, and were at first disposed to chime in with the popular humour, and, in many instances, with their own necessities. Fortunately, however, for the credit and good name of the province, the Governor's policy triumphed. Specie payment was continued, the banks safely weathered the storm, redeemed their bills when presented, and thus preserved the credit of the province untarnished.\* The result of this bold and honest policy was for a short space very trying to the banks. Their notes were eagerly purchased in the United States at from two to five per cent. premium, and sent into the province to be cashed. Still, the small agricultural community of Upper Canada, composed of some four hundred and fifty thousand souls, withstood the whole money power of the Union, continued calmly and honestly to meet the heavy drain upon its industry and its purse, and came out from the ordeal comparatively unscathed.

As the summer progressed, Mackenzie, like Papineau, sought to increase the existing excitement by treasonable articles in his newspaper, by holding meetings, and making inflammatory speeches, in various parts of the province, but more especially in the Home District, where his partisans were most numerous. He was far, however, from being as successful in this way as the popular leader of Lower Canada. At some of the meetings his resolutions were even negatived by majorities.

But very few even as yet suspected that the province was on the eve of rebellion, or supposed that the endeavours of Mackenzie and his immediate supporters to create a sympathy in favour of the Papineau party were to result in violence and bloodshed. The great bulk of the Reform party imagined that the leading agitators still desired the redress of grievances by constitutional means alone, a circumstance which accounts for the support its press gave them up to the latest moment. Fully three-fourths of that party were sincerely attached to continued connexion with the mother-country, and had no idea that Mackenzie, Rolph, and others of their leaders, had formed the design of establishing a republic by recourse to rebellion, and thus abandon the constitutional and legal position they had hitherto occupied for an illegal and treasonable one.

Many persons at the present time erroneously suppose that the principles contended for in that rebellion have been conceded. But

\* During the subsequent disordered condition of the province and commercial depression, produced by the rebellion, the banks were allowed to discontinue payments in specie, but chiefly on political grounds.

such has not been the case. The leaders of the extreme section of the Reform party, in resorting to violence, no longer sought the removal of abuses by constitutional agitation, but aimed at the establishment of an independent republic, and completely failed in the attempt. The real Reformers, however, continued to adhere to legal measures for the removal of grievances ; and to their efforts, aided by many favourable circumstances, when the storm had passed over, and not to the insane attempts at rebellion of Mackenzie and others equally wicked and mischievous, may, in a great measure, be ascribed the enviable political condition in which Upper Canada now finds itself.

The months of September and October passed off quietly, so far as outward appearances were concerned ; but, nevertheless, the crisis rapidly approached. A constant secret correspondence was kept up by the republican leaders of Upper with those of Lower Canada, and a line of operations agreed upon ;\* while vigilance committees were organised, and other incipient measures of rebellion quietly taken.

The Lieutenant-Governor was now completely at issue with the Colonial Office on different points. The principal of these was his refusal to place Mr Bidwell on the bench, and to restore Mr Ridout, the district judge of Niagara, to his post, of which Sir Francis had recently deprived him, owing to his having used violent and disrespectful language towards himself at public meetings. His Executive Council likewise proved refractory, and the report of the Lower Canada Commissioners, now published, placing his position completely at fault with the public, he was induced, a second time, to tender his resignation.

Such was the condition of affairs in Upper Canada, when, in the month of October, Sir John Colborne withdrew the troops from Toronto to Kingston, in order to be more fully prepared to make head against the insurrection which the Papineau faction was rapidly fomenting. He offered to leave two companies, as a guard, with Sir Francis Head, but the latter, believing the province to be perfectly safe from rebellion, and that the "moral power" he possessed was sufficient to prevent any overt act, requested these also to be withdrawn, and the troops likewise removed from Kingston.†

In consequence of these measures, nearly four thousand stand of arms and accoutrements had been left unprotected at Toronto, and were handed over for safe keeping to the corporation of the city,

\* See Mackenzie's Narrative.

† Head's Letter to Colborne, 31st Oct. 1837. *The Emigrant*, p. 159.

who had them transferred to the Town Hall, and guarded there by a few volunteers. This step was certainly well designed for effect, and a clever piece of dramatic acting ; but at the same time very unlike the cautious prudence which marked the proceedings of Sir John Colborne. Had Sir Francis Head at once supplied the place of the troops, by embodying a regiment or two of militia for the protection of these arms and of the capital of the province, no charge could be brought against him on the score of imprudence. As matters remained he was wholly unprepared for the coming storm, and continued in blind security to the last moment.\*

The withdrawal of the troops was the signal for more prompt rebellious action on the part of Mackenzie and his immediate associates. During the month of November, rumours prevailed that bodies of men assembled for the purpose of military drill and target practice, in the vicinity of Loydton, and at other places along Yonge Street, the focus of sedition in the Upper Province, as the counties along the Richelieu were in the Lower. Rifles were brought in secretly from the United States, pikes made, and other measures taken for the organisation of a revolutionary force.

The rumours of approaching insurrection in its neighbourhood caused a very general feeling of alarm at Toronto, and the Governor was solicited to nip it in the bud by the arrest of Mackenzie, the prime mover in the matter ; Bidwell,† Rolph, and others of the same timid character, retiring into the background as the moment of real danger approached. Mackenzie as yet, however, had committed

\* See his speech to the Legislature on the 28th December 1837. Sir F. Head's account of his position at this period is very contradictory. In the above speech he states he was taken wholly unawares, as was evidently the case ; while in his "Emigrant" he asserts that he knew of the approaching rebellion, although unacquainted with its details.

† Many persons suppose that Mr Bidwell knew nothing of the violent purposes of Mackenzie, and whose extreme principles and practices he repudiated, through the public press, on his arrival in the United States. There can be little doubt, however, that he was fully conscious of the extreme views entertained by the republican section of the Reform party, and that he would have been gratified had this province been wrested from Great Britain. An innocent man could scarcely have pronounced a voluntary sentence of expatriation on himself, as he did ; and, however timid he might naturally be, he well knew that the guilty only had anything to dread from British law and British justice. Mr Bidwell's father, as well as himself, most certainly became Canadian citizens from necessity, and not from choice, and still continued republican at heart. There can be little doubt, on the other hand, that Sir Francis Head desired to force him into exile, to sustain the course he had pursued in refusing to raise him to the bench ; but, there seems, at the same time, to have been a secret consciousness of guilt on the part of Mr Bidwell.

no open act of treason ; and consequently it was not deemed prudent to cause his arrest. Sir Francis still persisted in supposing that no insurrection would break out ; took, therefore, no active measures for its suppression, nor to acquire any correct knowledge of the treasonable measures in progress. His conduct in this respect lacked the appearance of even ordinary common sense, and showed how unfit he was for the post he filled. It was not, most decidedly, owing to his prudence or good management that the rebellion was suppressed. Had he bestirred himself, he could scarcely have failed to get proof positive of Mackenzie's treasonable intentions, and had this mischievous and most impulsive person been arrested, there is every reason to suppose no insurrection would have taken place, and the province would thus have been spared much bloodshed, trouble, and expense.

At length, finding himself embarrassed by the representations of many persons, and by the general feeling of alarm, which he seems now to have shared in himself, the Lieutenant-Governor directed that colonels of militia should hold themselves in readiness for any emergency. He was still, however, in utter ignorance of the insurrection already organised,\* and of the hostile preparations making in various parts of the Home District.

The calling out of the militia quickened Mackenzie's movements. Boldly pulling off the mask, he published a list of nineteen successful strikes for freedom, on record in the history of the world, and in plain language called upon his followers to imitate these glorious examples. The Attorney-General now informed the Governor that Mackenzie was within reach of the law, and it was determined to arrest him on a charge of treason. But he fled ere he could be apprehended, and at the head of a band of armed followers, was speedily advancing to attack Toronto.

On the 18th of November, Mackenzie, Rolph, Morrison, and several others, had decided, at a secret meeting held in Toronto, on a plan of operations in unison with the expected rising in Lower Canada, being well aware of the progress of events there, from information obtained from Papineau and his friends. The organised bands distributed over the country were to be drawn secretly together, and marched upon Toronto by the main road leading into the interior, and known as Yonge Street, on Thursday, the 7th of the ensuing December. Montgomery's tavern, about four miles from the city, was fixed upon as the point of rendezvous ; the time of assembly to be between six and ten o'clock at night. A single hour's

\* Emigrant, p. 164.

march would bring the insurgent force, expected to be at least four thousand strong, to Toronto, where the arms, weakly guarded in the City Hall, were to be seized, the garrison taken possession of, and the Lieutenant-Governor and his chief advisers captured and placed in safe custody. In the event of success, a popular convention was to be summoned, and a constitution which had already been drafted submitted thereto for adoption. In carrying out these plans, Dr Rolph was to be the sole executive authority, while Mackenzie was to arrange the details. Rumours of the intended rising had already been conveyed to the Lieutenant-Governor ; and Egerton Ryerson and John Lever, two loyal Methodist ministers, fresh from a pastoral tour, told Attorney-General Hagerman of the treasonable gatherings in the interior. But Hagerman was equally incredulous with his chief, and declared he did not believe there were fifty men in the province who would agree to make a descent on Toronto. So November passed away, and the executive had, as yet, made no real preparation to suppress insurrection. On the 2d of December a resident of the township of Markham informed Captain Fitzgibbon, of the Governor's staff, that quantities of pikes had been collected in his neighbourhood, and that he had observed all the signs of a rapidly ripening revolt. Sir Francis Head was duly made aware of the fact, but nothing was done ; and Judge Jones pettishly exclaimed that the over-zeal of the captain was giving him a great deal of trouble.

By some means the plan of insurrection had partially leaked out, and was known to persons from whom Mackenzie desired to keep it secret. It came to the ears of the elder Baldwin ; Bidwell certainly knew about it ; and other leaders of the Reform party, who kept in the background, were well aware that insurrection was at hand.\* Yet it does not appear that any one of these gave definite information to the authorities of the danger which menaced them.

Owing to the extraordinary supineness of the Government, the insurgents would have in all probability captured Toronto, had not Dr Rolph deranged Mackenzie's plans by altering the date of the attack from the 7th to the 4th. With the greatest energy and industry Mackenzie had traversed the surrounding country, completing the final arrangements for the rising on the 7th, and notified Van Egmond, who had been a colonel in the French army of Napoleon I., and now appointed Generalissimo of the insurgent army, to be present at Montgomery's tavern on that day, to direct the attack on Toronto. On the night of the 3d December, Mac-

\* *Life and Times of Mackenzie*, vol. ii. p. 64.

kenzie arrived at Gibson's house, three miles from the city, and there learned, to his great dismay, that Rolph had altered the day of attack, under the idea that the Government had learned all about it, and were making preparations to repel it, which it is needless to say was not the case. He further learned that Lount and other insurgent officers were already advancing to the point of assembly from the north.

Although greatly chagrined at the alteration in the time of attack, Mackenzie resolutely applied himself to put matters in the best position existing circumstances would permit of. Lount arrived in the morning, after a long march of some thirty miles, with ninety men; and some other insurgents having also reached Montgomery's, Mackenzie advised an immediate advance on the city, but was overruled by the other leaders, who determined to wait for further reinforcements. And thus the golden opportunity of a surprise was lost. Mackenzie and four others now proceeded forward to reconnoitre, and speedily encountered two citizens, Alderman John Powell and Archibald M'Donald, who were acting as a sort of mounted patrol. He informed them of the rising, that they must consider themselves prisoners, go to Montgomery's hotel, where they would be well treated; and directing two of his men, Anderson and Shepherd, to conduct them thither, went on towards the city. The prisoners, however, had not proceeded very far when Powell shot Anderson dead and escaped, Shepherd's horse fortunately stumbling at the moment. Mackenzie, as his late prisoner passed, unavailingly directed him to return, then fired at him over his horse's head, but missed him. Powell now pulled up, and coming alongside Mackenzie, placed the muzzle of his pistol close to his heart, but a flash in the pan saved the life of the insurgent chief.

Powell hurriedly proceeded to the Government House, and Sir Francis Head, who had gone to bed, suffering from a sick headache, was at once made acquainted with the imminent danger that threatened the city. The winter was unusually mild, navigation was still open, and a friendly steamer in the harbour gave refuge to the family of his Excellency. Alarm spread on every side; the armed guard of the city were hastily assembled to protect its twelve thousand inhabitants; and volunteers, among whom were the five judges, armed themselves with the muskets which were hastily unpacked and distributed. By and by pickets were posted, other measures of defence taken, and wearied watchers lay down to sleep with their arms at hand, and ready for immediate use.

Already, Anderson was not the only victim in this unhappy

rising. At an early period the old Indian track leading northward to Lake Simcoe had been widened into a road, and the fine rolling country on either side taken up for settlement. Retired army and naval officers made their homes here, and in the cultivation of the fertile glebe essayed to forget the stirring scenes of their earlier life. Among these was Lieutenant-Colonel Moodie, a native of Fifeshire in Scotland, who had campaigned in the Peninsula during its hardest fighting, was present at the battle of Queenston Heights, and rose to the command of the 104th regiment of the line. This gallant gentleman saw Lount's force pass by his dwelling at four o'clock in the afternoon, at once instinctively divined the cause of the insurgent gathering, and determined, at all hazards, to warn the authorities at Toronto of their danger. A messenger was first despatched with a letter, but learning that he had been taken prisoner, the Colonel, accompanied by Captain Stewart of the Royal Navy, proceeded to Toronto on horseback, and on the way thither was joined by three other friends. At Montgomery's tavern he was stopped by a strong guard of insurgents drawn up across the road, rashly fired his pistol when they opposed his further progress, was mortally wounded by a gunshot, and died within two hours. An Irishman of the name of Ryan fired the fatal shot, and the wretched man, after the dispersion of the rebel force, took refuge in the dense forest on the shores of Lake Huron, and from whence, after sustaining the greatest hardships, he escaped to the United States in the ensuing spring.

Failing to obtain any information of the correct state of matters in the city, Mackenzie had returned to the insurgent head-quarters. Anderson's death threw a gloom over Lount and his men, increased by the intense fatigue they had undergone, the want of food, and the pealing of the city alarm-bells, which told them that the inhabitants were now fully apprised of their danger. But as the night passed away reinforcements came up, and Mackenzie again proposed an advance on the city, to be a second time overruled. As Tuesday progressed, the insurgent gathering swelled to eight hundred men, armed with rifles, fowling-pieces, and pikes, and if they had boldly advanced on the city, the weak force of three or four hundred men, which the authorities had gathered for its defence, with the aid of the disaffected citizens, must have been overpowered.

Alarmed at the prospect of an immediate attack, and desirous to gain time, the Governor at mid-day sent the secret traitor Rolph and Robert Baldwin to the insurgents with a flag of truce, ostensibly to learn what they demanded. Mackenzie replied that they wanted



independence ; and added that, as they had no confidence in the Governor's word, he would have to put his messages in writing, and within one hour. As two o'clock approached, the insurgents advanced towards the city, and were met at its immediate borders by a second flag of truce, bringing answer that their demand could not be complied with. But their further advance was now stayed by the secret advice of Rolph to wait till six o'clock, and enter the city under cover of night, when the disaffected there, to the number of six hundred, would be prepared to join them. At the appointed hour they again moved forward, and when within half a mile of the city were fired upon by a picket of loyalists, concealed behind a fence, and who immediately afterwards retreated. This unlooked-for attack produced the greatest confusion among the insurgents, and who, after firing a few shots in return, were soon speeding away in disorderly flight, leaving one of their number killed, and two wounded behind. Mackenzie endeavoured to rally the flying mob, but they absolutely refused to renew the attack, the majority throwing away their arms and returning to their homes. During the night, a few fresh bodies of insurgents came up, but on the following day Mackenzie's force, all told, had dwindled down to about five hundred men. Despairing of success, Rolph had fled to the United States during the preceding night, and was speedily followed by a number of others, who had effectually compromised themselves.

Meanwhile, intelligence had spread far and wide that the rebels had advanced against Toronto. At two o'clock on Tuesday afternoon, Sir Allan M'Nab learned the news at Hamilton, and immediately mounting his horse, he rode to the wharf, seized a steamboat lying there, put a guard on board, and despatched messengers in various directions to summon loyal men to the rescue. In three hours' time, that steamer was under weigh, freighted with stout hearts and stalwart arms, to be received at Toronto with cheers, that, reverberating to Government House, told the anxious Sir Francis Head that the "men of Gore" had first arrived to aid him. Next day the loyal militia crowded in to his assistance from all directions, and were armed and organised as well as circumstances would permit.

Early on Thursday morning, Van Egmond arrived to take command of the insurgents, and detached a force of sixty men to cut off communication with Toronto to the eastward, burn the Don bridge, capture the mail from Montreal, and draw out the force of the enemy in that direction. They succeeded in capturing the mail and setting the bridge on fire ; but the flames were shortly after-

wards extinguished, and no intelligence of consequence was acquired by the insurgents. Meanwhile, it having been determined to attack their main body at Montgomery's tavern, or Gallows' Hill, every preparation was fully made by eleven o'clock. Six hundred men, with two field-pieces, formed the main column of attack, under Sir Allan M'Nab, while another force of three hundred and twenty men were detached to take the insurgent position in flank. It was situated at a small wood near the road, which afforded partial cover to some four hundred badly-armed men, who still clung to the desperate fortunes of their leaders. Their defence was of the weakest kind. The fire of the artillery speedily drove them from their first position, when a few volleys of musketry and a bayonet charge put them into rapid flight, hotly pursued by the enraged militia. The loss of the insurgents was thirty-six killed and fourteen wounded, while the loyalist force only sustained a loss of three slightly wounded. Little mercy was shown to the defeated, and two trembling prisoners were alone brought in, to be immediately discharged by the Governor, and who subsequently directed Montgomery's tavern, and the dwelling of Gibson, a member of the Assembly, and who had a command under Mackenzie, to be burned down. During their stay at Gallows' Hill, the insurgents made prisoners of fifty-four loyalists, but who were treated as well as circumstances admitted of, and were not subjected to any cruelty whatever. And thus terminated the attempt to capture Toronto. Had the insurgents been led by men of resolution and skill, there can be little doubt their object would have been successful.\*

Toronto once captured, insurrection would have raised its head in every direction, and a large amount of injury inflicted on the whole country, although about the ultimate issue of the struggle there could be no question. Upper Canada alone at this period contained a population of four hundred and fifty thousand souls, and the Home district, the focus of sedition, sixty thousand. Fully three-fourths of the whole people were loyal to the British Crown.

Immediately after the action at Gallows' Hill, Mackenzie fled towards the Niagara frontier, which, after several hairbreadth escapes, he succeeded in reaching, and was soon safely housed in Buffalo. A reward of £1000 had been offered for his apprehension, and £500 each for the capture of David Gibson, Samuel Lount, Silas Fletcher, and Jesse Loyd, the other principal rebel leaders. Rolph had already fled the province, and a few days afterwards was haranguing

\* Mackenzie's Life and Times, vol. ii. p. 90-99; Bonnycastle's Canada as it Was, &c., vol. i. p. 288; The Emigrant, p. 181.

an audience at Lewiston, and inciting them to aid in the rebellion ;\* while Bidwell voluntarily exiled himself, became a citizen of the United States, and an eminent lawyer of New York city, having been admitted to the New York bar by courtesy.

The country was now in a complete ferment. Although it was the middle of winter, ten thousand gallant militia crowded from all quarters towards Toronto, animated with the most loyal and devoted zeal. The want of transport, in numerous cases, of bedding, and of even warm clothing, was unheeded by these brave men, who thus showed themselves to be animated by the same indomitable spirit which had sustained the Canadian militia during the trying campaign of the three years' war with the United States. The loyal feeling so generally manifested alike by Conservatives and Moderate Reformers soon freed Sir Francis Head from all apprehensions with regard to the safety of Toronto, and he directed the militia of Glengarry, and of the other districts next to the lower province, to hold themselves in readiness to march to the aid of Sir John Colborne, should he require their services. Kingston, as well as Toronto, was speedily placed in a condition of perfect safety, by the arrival of several militia corps, which under the command of Sir Richard Bonnycastle, the principal military officer there, soon constituted a gallant and most efficient force. Never, in short, was a better spirit evinced. Under existing circumstances, successful rebellion was an impossibility in Upper Canada. Even the capture of Toronto could only have made the struggle more bloody ; the result, in the end, must have been the same.

In the London district, Dr Duncombe, recently returned from England, was extremely active in spreading disaffection, and got up a farcical rebellion. Sir Allan M'Nab was accordingly directed to march upon this point, with five hundred militiamen and volunteers, and suppress whatever armed treason he might encounter. This duty was performed in the most gallant and effectual manner. Duncombe, like Papineau, Rolph, and others of the same stamp, fled when he found danger approaching, leaving his deluded followers to take care of themselves. The bulk of these were disarmed and pardoned, but the leaders were sent prisoners to Hamilton. Large numbers joined the loyalists, and Sir Allan M'Nab declared that he had soon ten times the force he required.

The city of Buffalo, standing as it does at the termination of the great canal traversing the state of New York, and at the foot of the upper lake navigation, has always been characterised by a transient

\* Upper Canada *Herald*, 11th December 1838.

population of boatmen, sailors, and persons of very questionable reputation. Mackenzie had little difficulty, accordingly, in soon enlisting there a body of American sympathisers and Canadian refugees under his standard. The wretched attempt against Toronto—the ill-planned commencement of a miserably-organised rebellion, had not yet cured him of his folly, and in conjunction with Rolph and some others, he now concocted another invasion of Canada from the United States. Land and other inducements were promised to his followers, which a Buffalo newspaper described as a “wretched rabble, ready to cut any man’s throat for a dollar;” while Mackenzie put the climax on his folly, by offering £500 for the apprehension of Sir F. B. Head. To the command of the force thus raised, Dr Rolph, Mackenzie, and the other persons who formed the Canadian “executive committee” at Buffalo, elevated a clever though worthless scamp of the name of Van Rensselaer.

Some two miles above the Falls of Niagara, and opposite Chippewa, is a small island belonging to Canada, which at this period was densely wooded. Here it was determined that Van Rensselaer should take post with his force, preparatory to a descent upon Canada. Being without the territory of the United States, nothing need be apprehended from any interference on the part of their authorities, while it was most conveniently situated for receiving reinforcements and supplies from Buffalo. At the same time, as no force had been assembled for the protection of the Canadian frontier, little resistance to their schemes was feared from that direction.

The position was judiciously chosen, and numbers of the frontier vagabonds speedily flocked to Van Rensselaer’s standard, and were supplied by American citizens of wealth, interested in the movement, with provisions and military stores. To furnish this force, which was soon one thousand strong,\* with the necessary artillery, the guns were taken out of the State arsenals in some of the frontier towns, and thirteen were speedily in position on different parts of the island, which was likewise further secured by intrenchments and log breast works. Very few Canadians joined Van Rensselaer, although he had been led to suppose that he would be strongly supported by them.†

No sooner did Sir Francis Head (who at length appeared to understand his position more correctly) become aware of these occurrences, than a body of militia was hastily collected at Chippewa, under the command of Colonel Cameron, to prevent a hostile descent in

\* United States’ Marshal to President Van Buren, 28th December 1838.

† See Van Rensselaer’s narrative in *Albany Advertiser* of 30th March 1838.

that direction. At the same time measures were promptly taken to collect reinforcements of volunteers and militia at the point of threatened attack, where Sir Allan M'Nab, who presently arrived with his corps, assumed the chief command, and found himself at the head of two thousand five hundred men. One of his first measures was to form an intrenched camp in the vicinity of Chippewa, and to provide the necessary shelter for the militia; his next was to remonstrate with the American authorities, with respect to their permitting supplies to be furnished to the lawless force on Navy Island. He urged, that if it received no succour of this kind, the affair would be closed without bloodshed; but his humane remonstrances were wholly ineffectual. Open aid continued to be furnished to the *Patriots*; and in broad daylight a small steamboat, the *Caroline*, was cut out of the ice at Buffalo, and proceeded down the river, to convey men and stores from the mainland to Navy Island. Seventeen American citizens openly and publicly signed a bond to indemnify her owner in case she should be captured; and the collector of the Buffalo customs, pandering to the mob, gave her the necessary clearance licence.\*

Meanwhile, Van Rensselaer's artillery had opened upon the opposite Canadian shore, which was thickly settled; but beyond putting several shot through a house occupied by militia, and killing a horse on which a man, who fortunately escaped injury, was riding at the time, its fire was perfectly harmless. A fire was likewise opened on the boats sent from time to time by Sir Allan M'Nab to reconnoitre the enemy's position, without, however, inflicting any loss of life.

The gathering at Navy Island produced considerable alarm at Toronto, and the Governor, by advice of his council, proceeded to Chippewa. Here he found the militia, the Mohawk Indians from the Grand River, and a body of coloured men come to fight for the true land of liberty, in the best possible spirits, and was earnestly pressed to allow them to clear the island at the point of the bayonet. He was unwilling to adopt this course; but gave his consent for the capture of the *Caroline*, now openly employed in the service of the *Patriots*. Up to this period not a shot had been fired by the Canadian militia, who had remained strictly on the defensive.† At the same time, not only had they been fired upon from Navy Island, but also from Grand Island, belonging to the United States, where a

\* The Emigrant, p. 234.

† Sir Francis Head's Despatch to the British minister at Washington, 8th January 1838.

body of the American militia was posted to preserve neutrality. They were likewise fired upon from Schlosser on the American mainland.\*

On the 28th of December Colonel M'Nab directed preparations to be made for the capture of the *Caroline*, and intrusted the command of the party detailed for that purpose to Lieutenant Drew, of the Royal Navy, who most gallantly performed his duty. The *Caroline* was boarded, despite the fire of her guard, at Fort Schlosser, where she was moored for the night, and gallantly captured after a smart action, in which five of the *Patriot* pirates were killed and several wounded. On the side of the Canadians only two or three were badly wounded, and none were killed. It was attempted to tow the steamer across the river; but owing to the strength of the current it was found necessary to abandon her. She was accordingly set on fire and permitted to rush over the Falls in a sheet of flame, a most magnificent spectacle.† The Americans were loud in their condemnation of the violation of their soil, committed in cutting out the *Caroline*, although every circumstance in connexion with that event was of the most extenuating character. A person of the name of M'Leod, who falsely avowed himself to have been one of Lieutenant Drew's party, was subsequently tried in the United States for being concerned in the affair, but was acquitted. In 1842 the dispute arising out of the destruction of the *Caroline* was finally settled by the British Ministry apologising for the act.

On the 28th December the Legislature was convened, in order that proper measures should be taken in the present emergency. The opening address of the Governor was a long one, and of a more sober and sensible description than the speeches he had previously made on similar occasions. Alluding to the recent interference of American foreigners in Canadian politics, he declared "that it was not to be endured by the people of a free country. I entertain," he added, "no feeling of anxiety for the result. The peaceful inhabitants of Upper Canada will not be left to defend their country alone, for they belong to an empire which does not suffer its subjects to be injured with impunity; and if a national war, which it rests with the American Government to avert, should be the unhappy consequences of an intolerant invasion of our freedom, the civilised world, while it sympathises with our just cause, will view with feelings of astonishment and abhorrence, this attempt

\* *Christian Guardian*, 2d Jan. 1838. Report of Lieutenant Elmsley to Colonel M'Nab.

† *Toronto Patriot*, 2d Jan. 1838.

of a body of American citizens, treacherously to attack and plunder, in a moment of profound peace, their oldest, most intimate, and their most natural ally." One of the first measures of the session was the suspension of the Habeas Corpus Act.

Meanwhile, the prudent Sir John Colborne perceived that the Lieutenant-Governor of Upper Canada had not formed a proper estimate of matters there, and that he had better attend to the preservation of that province himself. He accordingly directed the march of troops up the St Lawrence to occupy the more exposed frontier posts, while he still, however, relied upon the local militia as the chief force for the defence of their several districts. Fortunately the season was most unusually mild. The river St Lawrence remained open till the middle of January. The upper lakes and rivers also continued free from ice, and thus presented 1838. the necessary facilities for moving troops to every threatened point of attack, it being the plan of the American sympathisers to assail the country at different places at the same time, as had been done in all the former invasions of Canada. A strong force of artillery was soon assembled at Chippewa, as well as a body of troops; and General Van Rensselaer finding Navy Island becoming more difficult of occupation, when a fire of heavy guns and mortars was directed against it, evacuated it on the 14th of January, and retired with his force to the American mainland. The loss of the Canadians during its siege was only one man killed and one wounded.

While these occurrences were transpiring on the Niagara frontier, a Scotchman of the name of Sutherland, who had become an American citizen, proceeded from Buffalo to Cleveland, at the upper end of Lake Erie, to organise a descent upon Amherstburg. Opposite this town is the Canadian island of Bois Blanc, in the Detroit River, which presented a favourable rendezvous for the sympathisers, and to which a body of them moved from Cleveland, the 7th of January, under the leadership of a person of the name of Dodge. At Gibraltar village they were joined by Sutherland with several boats and scows, on board of which were three field-pieces, two hundred and fifty stand of arms, and a very large supply of provisions. A fine schooner, the *Anne*, which had been without any attempt at concealment loaded at Detroit with cannon and several hundred muskets, taken from the State arsenals of Michigan, brought down another detachment of Canadian refugees and American sympathisers. So great was the feeling manifested in favour of these men, that the United States' Marshal was utterly unable to prevent their proceedings, now plainly in violation

of the treaty of peace and amity of his Government with Great Britain.

There were no troops of any arm at Amherstburg at this period, and the militia, hastily drawn together for its defence, were indiscriminately armed with rifles, fowling-pieces, and pitchforks. After this motley force had been dismissed from parade at three o'clock, on the 8th, the alarm spread that Sutherland's band was advancing from Sugar Island, belonging to the United States, and where it had temporarily taken post, with the view of immediately obtaining possession of Bois Blanc. This it was resolved to prevent, and three hundred militia, among whom were a troop of dismounted cavalry from the London district, hurried into boats and on board a schooner then lying at the town, took possession of the island, and promptly adopted measures to prevent the landing of an enemy. Sutherland's flotilla, now consisting of the *Anne*, a sloop, the *George Strong*, and several boats and scows, having some six hundred men on board, when it was discovered that preparations were made to repel a landing, sheered off after firing two guns at the militia. It was next supposed from his movements that the enemy would attempt to land on the main shore and capture Amherstburg, now defended by only a hundred men. It was accordingly determined to quit the island, and return to defend the town. But Sutherland's courage failed him when the moment for action came, and instead of making a descent either against Bois Blanc or Amherstburg, he directed his boat flotilla to pull for one of the American islands.\* He sent a message to Theller, now commanding the *Anne*, acquainting him with this movement, and directing him to join him.

Instead of sailing round Bois Blanc, which would have involved a considerable loss of time, Theller boldly determined to run up the channel between that island and Amherstburg, there being a good breeze in his favour. He was repeatedly fired upon by the militia with rifles; but the distance was too great to do much injury with small arms, and only one of his crew was killed and a few wounded. The Canadians had no artillery, or he would have suffered much more severely. The *Anne* replied to their fire by a few discharges of grape and round shot, without, however, doing any mischief. She also fired upon the *United*, a small steam ferry-boat, which usually ran between Detroit and Windsor. On the following morning, the *George Strong*, which continued to lie under Bois Blanc, was captured, and shortly after the *Anne* again made her appearance, and opened fire upon the heart of the town of

\* Theller's Canada in 1837-8, vol. i. p. 130.



Amherstburg, with round shot and grape ; but providentially without injury to the inhabitants, although several buildings were struck.

Meanwhile, Sutherland had taken possession of Bois Blanc ; so during the day the movements of the *Anne* were narrowly watched by the militia. As night approached, the wind freshened, and blew directly on the Canadian shore. Theller determined to run past the town, being now above it, and cast anchor at the foot of the island. But sharp and repeated volleys were poured into the *Anne* by the militia. Her ropes and sails were cut up by their fire, her helmsman shot down, and she soon drifted helplessly on the lee-shore. Her crew, however, still continued to keep up a discharge of cannon and musketry ; but the volunteers of the militia, after giving them another volley, plunged into the water, boarded, and carried her in the most gallant manner. Twenty-one prisoners were captured, three pieces of cannon, upwards of three hundred stand of arms, a large quantity of ammunition, with some money, stores, and provisions. The crew had three men killed and twelve wounded, some severely. The capture of the *Anne* convinced Sutherland how little impression he was likely to make on the Canadian frontier, and he accordingly retired to Sugar Island. Here he was visited by Governor Mason, of Michigan, and induced to conduct his men to the mainland, where they were dispersed, while he was arrested, but soon again set at liberty, after the farce of bringing him to trial had been gone through with.

Thus terminated the attempt of Sutherland to obtain possession of Amherstburg. The conduct of the gallant militia was beyond all praise ; and the exertions of several wealthy citizens of the neighbourhood to provision and furnish them with arms and ammunition, merit the warmest gratitude of posterity. Among these citizens was a Mr Dougall of Windsor, who loaned \$10,000 to the commissariat : while several others came forward to indorse notes to pay the merchants of Detroit for the pork and flour, which this portion of Canada was then unable to furnish.

The capture of the *Anne* supplied the guns and muskets so much needed. Two of her cannon were mounted on Fort Malden, which was, however, in a wretched condition, having been permitted to go to ruin ; the other was placed on board a schooner, fitted up by Captain Vidal, a retired naval officer, resident in the district. The militia crowded to protect the frontier in expectation of another invasion, and nearly four thousand were soon posted at various points along the Detroit River. Among these were two hundred Indians from Delaware, and a body of coloured men, settled in the western

part of the province, the poor hunted fugitives from American slavery, who had at length found liberty and security under the British flag.\*

Their ill success hitherto had not taught the *Patriots* wisdom, and although the jails of both provinces were crowded with prisoners, waiting their doom, others were not warned by their unhappy condition. Secret societies, termed Hunters' Lodges, were formed along the American border in order to revolutionise Canada, and maintained an active correspondence with the republicans at this side of the line. Mackenzie, who had moved eastward to Watertown, and who did not yet consider he had done sufficient mischief, and the other principal refugees, were active in organising another combined invasion of their country—a fresh drama of blood and misery; and so certain were some of their deluded followers of success, that farms in Canada were played for as stakes, and outline maps prepared of the townships they imagined they were about to receive.†

Early in the month of February, the *Patriots* determined to make four simultaneous movements against Canada from Detroit, Sandusky, Watertown, and Vermont. The last of these has already been described in the narrative of the rebellion in Lower Canada. The expedition from Watertown rendezvoused at French Creek on the St Lawrence River, to the number of some two thousand men, under the command of the same Van Rensselaer who had figured at Navy Island, and of "Bill" Johnson, a most notorious border vagabond. Finding, however, that the militia garrison of Kingston was fully prepared for their reception, the courage of these brigands failed them completely, and they speedily dispersed.

The movement from Detroit, led by a Canadian refugee of the name of M'Leod, was also unsuccessful. He took possession of a small island in the Detroit River, from whence, on the 24th of February, he was dislodged by the fire of artillery, and returned to the United States, where his force was dispersed and disarmed by the authorities, now beginning to exert themselves effectually.

The *Patriot* force from Sandusky, under the direction of Sutherland and others, established itself on Point Pele, a Canadian island, eight miles long and four wide, situated some forty miles from Amherstburg and twenty from the mainland. Troops had meanwhile reached the Detroit frontier, and measures were promptly taken by Colonel Maitland, of the 32d regiment, to dislodge the enemy. Finding that

\* Radcliff's Despatch, 10th January 1838.

† Canada as it Was, &c., vol. ii. p. 69.

the ice was sufficiently strong, he crossed from the mainland to Point Pele, with a force of regulars and militia, and placed detachments at different points to cut off the *Patriots'* retreat. Their main body, however, after being chased through the woods, succeeded in fighting their way to the American mainland; but with severe loss to themselves, thirteen being killed and forty wounded. Several of them also were taken prisoners. On the side of the Canadians, two soldiers of the 32d were killed and twenty-eight wounded. The *Patriots*, numbering some five hundred men, were well armed, and fought desperately for their lives, when they found their retreat cut off by a detachment of the 32d and some militia under Captain Brown. A day or two after this affair Sutherland was accidentally met on the ice by Colonel John Prince, and brought a prisoner to the shore.\*

Meanwhile, the Home Ministry had recalled Sir Francis B. Head, and appointed Sir George Arthur as his successor. The former prorogued the Legislature on the 6th of March, in a long and inflated speech, in which he reviewed the recent occurrences, justified his course, and so dropped the curtain on his exceedingly unfortunate administration. On the 23d the new Lieutenant-Governor, who had arrived out from England by way of New York, was sworn in at Toronto, and Sir Francis B. Head was relieved of his administrative cares for ever. He immediately prepared for his departure to England, and being informed that parties had determined to assassinate him, should he travel overland to Halifax, he resolved to proceed to New York, *via* Kingston and Watertown, and embark at that city. He succeeded in safely accomplishing his journey, though not without considerable personal risk, having been recognised at Watertown, and pursued from thence towards Utica. Being a good horseman, however, he soon distanced his pursuers. Once at New York he was perfectly safe, although an object of considerable public curiosity, a very large body of its citizens assembling to see him embark.

#### THE ADMINISTRATION OF SIR GEORGE ARTHUR.

The jails of Hamilton and Toronto were now crowded with prisoners. In the former town a Special Commission was sitting for the trial of political offenders; in the latter a court-martial had assembled for the same purpose. The "Constitutional Reformers"

\* Maitland's Despatches, 4th and 5th March 1838. *Kingston Chronicle*, March 1838.

of Toronto presented a numerously signed address to Sir George Arthur, congratulating him on his accession to the government, and asking mercy for the five hundred political prisoners held in durance. His answer embodied a sharp rebuke. He stated reform had been made the cloak of the crimes committed by these prisoners ; and that, at the present crisis, it was imprudent to adopt such an appellation. At the same time, he avowed his determination to let impartial justice take its course.

Having been completely foiled in their combined movement to revolutionise the Canadas, the *Patriots* adopted no further offensive measures during the months of March and April. Secret associations, however, continued in full operation along the American frontier. Hunters' Lodges were organised in every direction, by which covert steps were taken for another attempt against this country. Meanwhile, Sir John Colborne made prompt preparations to meet every emergency — even a war with the United States, now a possible contingency, owing to the ill feeling excited by the destruction of the *Caroline* and the Maine boundary disputes, on the one hand, and the numerous acts of aggression against Canada committed by American citizens, on the other. Engineer officers were sent to every point where troops or fortifications were required. At Amherstburg, in the course of the ensuing summer, Fort Malden was repaired and strengthened ; extensive barracks were commenced at London ; Fort Mississauga, at Niagara, was put into a good position for defence ; the works at Kingston were strengthened ; additional barracks begun at Toronto ; and Fort Wellington, at Prescott, rendered impregnable to sudden attack.

No sooner had navigation opened than a large fleet of men-of-war and transports, which had brought troops up the St Lawrence, crowded the spacious harbour of Quebec. These troops were soon distributed along the frontier, and being supported by forty thousand of the most efficient militia probably in the world, Canada was in a better position to repel hostile invasion than at any former period.

Up to the month of May, Lount and Matthews, two leaders of Mackenzie's attack upon Toronto, had alone been executed for treason. Several others had been sentenced to death at Hamilton and Toronto ; but Sir George Arthur, blending mercy with justice, transferred the greater part of them to the penitentiary at Kingston. Several political prisoners were acquitted as being innocent, or for want of proof ; and many of the lesser actors in the drama of rebellion were released on giving security for their future good

conduct. In Lower Canada, martial law had been abolished; and matters generally, in both provinces, bore every appearance of returning tranquillity.

But, as the month of May progressed, rumours prevailed that the *Patriots* were about to undertake another attempt against the province, for which Mackenzie, Duncombe, and M'Leod were actively engaged in making preparations. The more secure condition of the frontier, however, left them not the slightest chance of success, and very little apprehension of the result was entertained. While matters were in this state, a most atrocious act was committed, in the burning of the *Sir Robert Peel*, one of the finest steamboats plying on the St Lawrence, by the notorious Bill Johnson, at the head of a gang of some fifty men, who boarded her before day on the 29th, while taking in wood at Wells Island at the American side of the river, and seven miles from French Creek.

The passengers were compelled to rise from their beds; and after dressing hastily, several females among them were put on shore and left to shift for themselves on a most inclement night, while the men were confined in the cabin, through the skylights of which muskets were pointed to prevent them from interfering. At length, when the pirates had satisfied themselves no danger was to be apprehended, a panel was broken in the cabin door, through which their prisoners were allowed to pass, one by one, and go ashore. The vessel was then rifled and set on fire, when Johnson and his gang, betaking themselves to their whale-boats, made their escape. The crew of the *Sir Robert Peel* lost all their baggage, and the passengers were able to save very little of their effects.

Governor Marcy, of New York State, on receiving intelligence at Albany of this barbarous outrage, immediately departed for the frontier, and took active measures to discover the perpetrators, some of whom were apprehended and lodged in jail, but afterwards escaped punishment for the want of sufficient proof against them. A reward was offered for the apprehension of Johnson; but the labyrinth of the Thousand Islands afforded him and his gang a secure refuge, and enabled him to elude every step taken for his capture. On the 7th of June a descent was made by him on Amherst Island near Kingston, and three farm-houses plundered of money and valuables. On the 10th he issued a most impudent proclamation, avowing that he had commanded the expedition which destroyed the *Sir Robert Peel*. His opportunities to do further mischief were, however, restricted by Sir John Colborne, who directed a body of sailors and marines to scour the Thousand

Islands, and strengthened the various military posts along the Upper St Lawrence with soldiers and picked militia. The American Government also sent troops to their frontier to preserve the peace, and prevent the further organisation of armed expeditions against the Canadas.

Despite all these precautionary measures, a body of sympathisers crossed over the Niagara frontier, overpowered some Lancers, and plundered a house at the Short Hills of a large sum of money and some valuable property. Thirty of these ruffians, who had concealed themselves in a swamp, were afterwards taken, as well as Morrow, their leader, who was subsequently executed for the crime. In consequence of these occurrences, Sir George Arthur issued a proclamation, forbidding all persons from travelling in the province without proper passports. At the same time, it was also determined that persons found unlawfully armed, or aiding in or abetting acts of treason, should be deemed prisoners of war, and treated accordingly. Simultaneously with the affair at the Short Hills, bodies of *Patriots* penetrated into the London district, where a number of state prisoners were rescued from durance, and the store of a French trader at Delaware plundered. From this point they were pursued by the Indians, who overtook, routed them, and captured several of their number. At Goderich a body of these pirates made their appearance in a sloop, and after committing some robberies in the shops there, escaped in a United States' steamer. Such were the ruffians sent to liberate Canada by Mackenzie and his refugee confederates.

The remainder of the summer passed quietly away, and was chiefly distinguished by Lord Durham's tour through the province. Some attempts were made to get up hostile expeditions in the adjoining States; but these were suppressed by the American military authorities, now exerting themselves most efficiently. With respect to the numerous political prisoners, the same lenient policy was pursued as in Lower Canada; the leaders alone were to be punished, the rest were released. The Reform press again began to agitate the constitutional redress of grievances; and the old machinery of party was gradually coming into full play, in the belief that rebellious and "sympathising" troubles had terminated. Towards the end of summer, some excitement was caused by the escape of several prisoners confined at Kingston. Theller and Dodge, captured in the *Anne*, likewise effected their escape from prison at Quebec. On the 22d of October a proclamation offering amnesty to certain political offenders was published by Sir George Arthur.

Meanwhile, Hunters' Lodges continued to exist along the border ; and preparations were made for another *Patriot* invasion of the Canadas. Sir John Colborne had received minute information of these proceedings, and the necessary defensive preparations were accordingly made. In Upper Canada, Sir George Arthur called out a portion of the militia, on the 23d of October, by proclamation. At the same time, the armed vessels now on Lakes Erie and Ontario were put into the most efficient condition for active service.

The final *Patriot* invasion of Canada, like all the preceding ones, was based on the principle of combined movement. In Lower Canada, Robert Nelson established himself at Napierville ; while in Upper Canada, an attempt was made to obtain possession of Fort Wellington, at Prescott, on the St Lawrence, and of Fort Malden, at Amherstburg.

On the 10th of November a body of armed men embarked at Oswego on board the *United States*, a large steamer plying from Ogdensburg westward. At the same time, two schooners conveyed a detachment of *Patriots* down the St Lawrence, which were taken in tow by this steamer, as she descended the river. On the night of the 11th they were off Brockville, and considerable alarm was felt lest the enemy might land and attack that town. This, however, formed no part of their plan, and they proceeded to Prescott, midway between which town and Ogdensburg the schooners cast anchor. Here next morning they were attacked by a small British armed steamer, the *Experiment*, mounting two guns, and compelled to move nearer the American shore. The *Experiment* likewise fired upon the *United States*, which came out from Ogdensburg harbour, apparently with the object of taking the schooners again in tow and of landing the sympathisers she had on board at Prescott, and compelled her to sheer off. Having injured one of her guns, the *Experiment* was under the necessity of running into Prescott to refit, when the *Patriots* promptly landed a body of some two hundred and fifty men, led by Von Schultz, a Polish adventurer, a little further down the river at Windmill Point, which was beyond the range of the guns of Fort Wellington. This was an excellent defensive position. The Windmill, a building of great strength, was flanked by several stone dwelling-houses and walls, the latter forming good breast-works ; and as the road ran close by this post it commanded both the land and water approaches. Having thus made a solid lodgment on Canadian soil, the *Patriots* expected to be joined by many of the inhabitants, but were completely disappointed. Scarcely any one aided them openly, while the militia of the

neighbouring counties were soon swarming towards Prescott, from all directions, to drive the pirate invaders from their country.

By the morning of the 13th, a force of over four hundred militia and eighty regulars had been drawn together, and supported by the *Victoria* and *Cobourg* armed steamers, moved forward at seven o'clock under the command of Major Young, one of the military officers sent out from England to organise the militia, to dislodge the enemy from the breast-work he had formed, by connecting the stone walls around the mill with intrenchments of earth. The *Patriots* fought desperately, but were gradually driven from point to point, and finally compelled to take shelter in the stone buildings within their position, where, as the attacking force had no artillery, and the guns of the steamers made no impression on the mill, they were permitted for the present to remain. Strong pickets, however, were posted so as to prevent their escape during the ensuing night. The loss of the Canadians during this action was severe. Two officers and six men were killed; and three officers and thirty-nine men wounded. The *Patriots* suffered still more severely. Two of their officers and eleven men had been killed, a large number wounded, and thirty-two taken prisoners. During the battle, several boats filled with men had attempted to cross from the opposite side, but were prevented by the armed steamers. The American shore was crowded with spectators, who cheered vigorously whenever they supposed their countrymen had the advantage of the Canadians. Meanwhile, the schooners, which had sought shelter near the American shore, were taken possession of by a United States' Marshal, aided by some troops. The steamer *United States* was also seized, and the unhappy adventurers at Windmill Point left to their fate,\* although they repeatedly begged to be taken off.†

During the 14th the enemy was permitted to retain his position undisturbed, the *Experiment* keeping a sharp watch to prevent his escape. On the following day heavy artillery was forwarded from Kingston, as well as a body of troops, under Lieutenant-Colonel Dundas; but owing to some delays these did not reach Prescott till the afternoon of the 16th. As night approached the troops and militia moved forward to the assault, and being well supported by the fire of their guns, the *Patriots* were soon driven from the dwelling-houses, and compelled to retreat to the mill. This effectually resisted' the fire of the artillery, but its destruction being appre-

\* Major Young's Despatch, 14th Nov. 1838. *Brockville Recorder*, 15th Nov. 1838.

† See Von Schultz's Statement.



hended by the *Patriots*, who still numbered over one hundred, they surrendered at discretion. Several others were afterwards captured, who had hidden in the vicinity, so that one hundred and thirty were taken altogether, of whom several were wounded; their loss in killed was probably about fifty, there being no certainty on this point, many of the dead being burned in the buildings. On the side of the Canadians, only one soldier was killed, and a few wounded in the final assault.

The attempt to obtain possession of Amherstburg terminated equally unsuccessful for the *Patriots* with the movement against Prescott. On the 4th of December, a body of about four hundred and fifty strong crossed over from Detroit to the Canadian shore, marched upon the village of Windsor, captured the few militia guarding it, burned the steamer *Thames*, lying at the wharf, and two buildings, murdered a negro who refused to join them, and then prepared to move against Sandwich, a village two miles distant on the road to Amherstburg. But the captured militia soon managed to effect their escape, after shooting the leader of the enemy.

During their march towards Sandwich, the advanced guard of the *Patriots* brutally murdered Surgeon Hume, of the regular army, who happened to meet them and offered his medical aid. His dead body was shockingly mutilated. But his melancholy fate was speedily avenged by a detachment of one hundred and seventy militia from Sandwich, acting under the orders of Colonel Prince, which attacked this portion of the enemy, who had meanwhile established themselves in an orchard, completely routed them, and killed twenty-one of their number. But Colonel Prince stained his victory by ordering four prisoners, brought in immediately after the action, to be shot. Twenty-six prisoners were shortly afterwards taken; but these were reserved for disposal by the proper tribunal. The loss of the militia in this action was trifling; only one man was killed and two wounded.

The *Patriots*, however, still retained possession of Windsor, from which Prince did not think proper to dislodge them, as a part of their force, which had meanwhile made a flank movement towards Sandwich, threatened his rear. He accordingly retired upon the latter village, where he was soon after joined by a detachment of regulars with a field-piece, and again proceeded to seek the enemy. But finding that none of the inhabitants would aid them, and having already had enough of fighting, the *Patriots* had in the meantime either recrossed the river to Detroit, or concealed themselves in the surrounding woods. Nineteen of the latter, destitute of food,

and unable to cross to the opposite shore, were shortly after found frozen to death, around the remains of a fire they had kindled.

Thus terminated the last *Patriot* invasion of Canada. Like the inhabitants of Ogdensburg, those of Detroit lined the bank of the river during the action at Windsor, and cheered the robber band who had crossed to assail our gallant militia with such disastrous results to themselves. But the horrid drama of blood had not yet terminated. Mercy had been too long shown to the citizens of a friendly country, with which we were at peace, who had invaded our soil for purposes of rapine and bloodshed. Courts-martial were accordingly assembled at Kingston and London, for the trial of the prisoners taken in arms at Prescott and Windsor. Of the former, Von Schultz and nine others, chiefly Americans, were executed at Kingston. Three were executed at London for the Windsor outrage, several were also executed in Lower Canada, and a large number from both provinces transported to the penal settlements at New Holland. More than half the prisoners taken at Prescott, being youths under age, were pardoned by Sir George Arthur, and permitted to return home.

Like all rebellions, that of Canada had produced its full harvest of disorder, caused a large outlay to the state, and checked the progress of the country, aside from arousing men's evil passions, and drawing a gallant militia from their homes to the injury of their business.

Every true lover of liberty will admit that rebellion is necessary and justifiable in certain circumstances. When a nation has not security for life and property, when the rights of person are violated arbitrarily and unjustly by the powers that be, when men suffer sharp wrongs, and their liberties are trampled on daily by the iron heel of oppression, when taxation is imposed without legislative representation, then rebellion is a virtue, and not a crime. It is far preferable to die the death of the brave man than to live the life of the slave. Thus, the Swiss rebellion against Austrian tyranny was justifiable, as was also that of the States of Holland, and of the United States of America. But there was no analogy whatever between the condition of these countries, prior to their rebellions, and that of Canada. Here trial by jury existed, the law of Habeas Corpus protected personal rights, and the levying of internal taxation was vested in the local Parliament. In Lower Canada, the French inhabitants enjoyed a larger liberty than their race possessed in any other part of the world; while, in Upper Canada, the few political evils which existed must soon have disappeared before

the pressure of constitutional agitation, the progress of national intelligence, and the increase of national population and wealth.

There can be very little doubt entertained, by any impartial or unprejudiced person, that the singular and very imprudent conduct of Sir Francis B. Head produced in a great measure the wretchedly organised rebellious outbreak in Upper Canada. His injudicious administration, in the first place, created a large amount of political agitation; in the second, the absence of all military preparation to repress armed riots of any kind, invited the rebellion of a small minority of disaffected persons, such as must always exist even in the best-governed countries. But these circumstances, nevertheless, do not lessen the criminality of the course pursued by William Lyon Mackenzie, who was decidedly the leading evil spirit of the crisis, and who must ever be held morally responsible for much of the bloodshed in Upper Canada at this period. The progress of time has mellowed much of the asperity with which his conduct has been regarded, and enabled us to form more just conclusions as to his principles and his objects. As one traces his checkered existence, which presents such a strange admixture of upright intentions and dangerous errors, a doubt of his perfect sanity cannot fail to be evoked, to receive additional colour from the softening of the brain, that finally resulted in death. Ever unstable as water, he flits changefully before the eye as the Dundee shop-boy, the uneasy clerk, the bankrupt shopman, the newspaper editor, the bookseller, the druggist, the member of Parliament, the agitator, the political agent to England, the fomentor of rebellion, and the rebel general. As a refugee in the United States, he shifted his occupation with the same chameleon rapidity as in Scotland and Canada; his peculiar faculty of getting into difficulties of one kind or another being in no way diminished, until, at length, fully as tired of the people as they were of him, he was glad to shelter once more his fortunes under the British flag, which he had so impotently essayed to trample in the dust. Scotchmen, as a rule, invariably exhibit great tenacity of purpose and steadiness of application, but to that rule Canada presents two notable exceptions in the persons of Gourlay and Mackenzie. Both were wonderfully alike in their failures and their misfortunes, and both supplied the most ample evidence that method and perseverance are ever the solid essentials of success. Mackenzie was much the more clever of the two; but he lacked the sterling talent and the sober judgment which constitute the truly eminent man, and his once great popularity rested solely on the passions and prejudices of the hour. He was alike an indifferent

writer and a common-place speaker, and the very prominent position to which he attained was owing to the excitement of the times, and the paucity of talent in a comparatively new country. His subsequent return to Canada was fatal to his previous reputation for ability, and plainly stamped his mediocrity. A weekly newspaper termed *Mackenzie's Message*, published by him, had a brief existence ; and while alive was not distinguished for ably written editorials, such as appeared in contemporary journals, but, on the contrary, for snappish and ill-natured articles, querulous complainings, and for being the receptacle of all manner of fantastic odds and ends, the fungi of an energetic and acute, yet diseased and ill-balanced intellect.

## CHAPTER XXII.

### THE UNION OF UPPER AND LOWER CANADA.

INTERNAL rebellion and piratical invasion had been alike repressed by the gallant militia of the Canadas, and the firm attitude assumed by its civil government and military authorities. Open violence, and the warlike strength of eight millions of people in the United States, had failed to sever this country from Great Britain in the 'Three Years' War' beginning with 1812: secret treason and partial internal disaffection had proved equally impotent in that direction. The people of the American border, who hoped to see Canada, in being connected with their country, a fruitful source of speculation and profit to themselves, had at length discovered their mistake in expecting that connexion, and saw how egregiously they had been deceived by the representations of the visionary Mackenzie and others of the same stamp. Their eager thirst for gain had blinded them to the true condition of this country, and led them to twaddle about Canadian freedom, with the shackles of three millions of their own slaves—their human chattels, clanking in their ears. The result of all their secret border associations to revolutionise the Canadas, and annex them to the United States, had their finale in the wretched attempts on Sandwich and Prescott. They now sought to cover their defeat, and remove the stigma their improper conduct had cast upon their government, by organising public meetings to prevent further aggression on Canada, as if such a result could be accomplished by the frothy declamations of place-hunting demagogues.

But Canada needed no questionable aid of this stamp, and was just as independent of the public opinion of the United States in 1839, as she was of their military prowess in the 'Three Years' War. During the course of this year the various military works in progress were completed. All the important defensive positions were re-established; and the entire Canadian frontier, from Maine to

Michigan, thus placed in a state of security. A re-organisation of the militia substituted permanent corps, and a certain number of years' service, for those hitherto established for a few months' service, or a particular emergency. The militia army list for Upper Canada alone showed one hundred and six complete regiments, with the full complement of officers and staff, the names of the two latter grades filling eighty-three closely printed octavo pages. There were four battalions of incorporated militia, organised and clothed like the troops of the line; twelve battalions of provincial militia, on duty for a stated period; thirty-one corps of artillery, cavalry, coloured companies, and riflemen; while most of the militia corps had a troop of cavalry attached to them. Thus, with a population of four hundred and fifty thousand souls, Upper Canada could easily assemble forty thousand men in arms without seriously distressing the country. She has now about one million two hundred and fifty thousand inhabitants, and a militia force, one hundred thousand strong, could at any emergency be readily raised for defensive purposes.\* Never was this country in a better position to resist foreign aggression than at the present moment, presuming that resistance was based upon righteous principles.

The regular army in Canada, in 1839, consisted of seventeen regiments of the line, one regiment of cavalry, and a proper proportion of the Royal Artillery, Sappers, Miners, and Royal Engineers.† On Lakes Ontario and Erie a naval force had been established, under the orders of Captain Sandom, R.N., to man which seamen and marines were sent out from England. The attitude thus assumed by Canada checked further organised invasion; and beyond isolated burnings of the dwellings of loyalists and outrages on their persons, nothing occurred further to disturb the public peace, the disputes about the Maine boundary excepted. But our neighbours' blustering, even on this point, was gradually overborne by their good common sense; the matter was left to be settled by arbitration; and international commerce was again commenced between these provinces and the United States, two countries whose true policy should ever be to remain on the most friendly terms, while such a course is consistent with national honour and independence.

On the 27th of February, the Legislature of Upper Canada was

\* This was in 1855, when the first edition of this work was published. The population of Upper Canada (Ontario) now (1868) must be nearly five hundred thousand more.

† Canada as it Was, &c., vol. ii. pp. 187, 189.

again convened. The opening speech of Sir George Arthur was a long one : it reviewed the recent painful occurrences, and pointed out the measures which he deemed necessary for the welfare of the country. He recommended the settlement of the Clergy Reserve question, on which there was still much bitter agitation, and the promotion of education by an improvement in the common-school system. The Government, he stated, looked for speedy resumption of specie payment by the banks, which had suspended during the more recent troubles, at an early period, and trusted no difficulties on that head would be experienced. He also alluded to the depressed condition of the finances of the province, and the necessity, nevertheless, of sustaining him in the large disbursements, not provided for by act of Parliament, which he had been compelled to make in connexion with the defence of the country. There were other claims, he said, also to be provided for ; intelligence which was unfavourably received by the House.

The finances of the upper province at this period were far from being in a flourishing condition. The construction of the great works undertaken in various directions had increased the public debt so largely, that the annual interest thereon amounted to £63,000. The civil expenditure of the preceding year was £20,000 larger than the usual amount ; and the deficiency in the resources of the province, (now annually about £80,000,) to meet the expenditure for the current year, would amount to over £90,000 or \$360,000.\* Unless some means were devised to remedy this state of things, it was evident that sooner or later there must be a national bankruptcy.

The publication of Lord Durham's report during the spring led thinking men to look forward to the union of the sister provinces, as the panacea for many of the evils under which both were labouring. Resolutions approving of this union were introduced into the Assembly and passed there, but thrown out in the Upper House by a majority of two. The session of Parliament, which terminated on the 14th of May, was chiefly distinguished for these resolutions, the assumption of the Welland Canal by the Government, and an abortive attempt to settle the Clergy Reserve question.

Meanwhile, Mackenzie, who had made an unsuccessful attempt to establish a newspaper in New York, had removed to Rochester, where he speedily became so unpopular with the community, that he was finally arrested, indicted, and tried for promoting armed expeditions against Upper Canada to overturn its Government.

\* *Christian Guardian*, 27th March 1839.

He grounded his defence in part on the presumption, that this province was in a state of anarchy at the time of the outbreak at Toronto, and that no Government, consequently, existed. Alluding during his trial to the present Queen, he said, "I affirm that the girl has forfeited all right to rule over any part of what she claims as her dominions. I was born in the reign of her uncle, and have long been tired of their usurped tyranny." Despite all his quibbles, and all his endeavours to pander to the anti-British prejudices of his audience, the jury found him guilty, and he was sentenced to eighteen months' imprisonment in the jail of Monroe County, and to pay a fine of ten dollars.\* It was a tardy piece of justice, brought about chiefly by himself, and was deemed the easiest way to get rid of him by his former admirers. Poor, and comparatively friendless, they made him the scapegoat of the sins of others as well as his own.

Lord Durham's report had immensely strengthened the hands of the friends of responsible government in Upper Canada. Meetings were held at which resolutions were passed in favour of its establishment, and it was evident that in future no Canadian administration need look for much public support, unless it was based on that principle. Matters in the meantime were gradually assuming their wonted appearance of quiet; while, in addition to this blessing, a most abundant harvest gladdened the hearts of the community.

Meanwhile, Sir John Colborne had been appointed Governor-General of the Canadas, and continued to take the necessary steps for their pacification. But his long and arduous exertions for the benefit of this country, and in the service of his sovereign, led him to desire repose, and he accordingly requested his recall. On the 17th of October, Mr Poulett Thompson, his successor, arrived at Quebec, and relieved him of the cares of government. On the 23d he sailed for England, where, for his eminent services, he was raised to the peerage by the title of Lord Seaton. But prior to his departure he received the most flattering addresses from all parts of Canada.

#### THE GOVERNMENT OF LORD SYDENHAM.

The appointment of a plain untitled civilian to be Governor-General of these provinces, was unpalatable to many of its inhabitants. Mr Thompson, too, had long been concerned in the timber trade of the Baltic, the great rival commerce of the Canadas, and this made him unpopular for the moment with some of their prin-

\* *Rochester Democrat*, 26th June 1839.



cial lumber merchants. And yet, he was the very man suited to the emergency; and, as it subsequently proved, fully equal to extricating these provinces from the critical condition in which they were now situated. Gifted with talents of a high order, deeply versed in matters of finance, and well read in the subtle pages of human nature, it was fortunate for the Canadas that he accepted their government, instead of the chancellorship of the Exchequer, offered him by the Melbourne Administration.

The union of the two provinces had now been definitely determined on by the Home Ministry, as well as the concession of responsible government to the British majority which that union must create. The recent rebellion had shown clearly the attachment of that majority to the mother-country, and how safely it could be trusted with every privilege which could be regarded as the birthright of British freemen.\*

\* The following extract from Lord John Russell's Despatch, of the 14th October 1839, illustrates clearly the views of the British ministry on this head:—

"The Queen's Government have no desire to thwart the representative assemblies of British North America in their measures of reform and improvement. They have no wish to make those provinces the resource for patronage at home. They are earnestly intent on giving to the talent and character of leading persons in the colonies, advantages similar to those which talent and character, employed in the public service of the United Kingdom, obtain. Her Majesty has no desire to maintain any system in policy among her North American subjects which opinion condemns. In receiving the Queen's commands, therefore, to protest against any declaration at variance with the honour of the Crown, and the unity of the empire, I am at the same time instructed to announce her Majesty's gracious intention to look to the affectionate attachment of her people in North America, as the best security for permanent dominion.

"It is necessary for this purpose that no official misconduct should be screened by her Majesty's representative in the provinces; and that no private interests should be allowed to compete with the general good.

"Your Excellency is fully in possession of the principles which have guided her Majesty's advisers on this subject; and you must be aware that there is no surer way of earning the approbation of the Queen, than by maintaining the harmony of the executive with the legislative authorities.

"While I have thus cautioned you against any declaration from which dangerous consequences might hereafter flow, and instructed you as to the general line of your conduct, it may be said that I have not drawn any specific line beyond which the power of the Governor on the one hand, and the privileges of the Assembly on the other, ought not to extend. But this must be the case in any mixed government. Every political constitution in which different bodies share the supreme power, is only enabled to exist by the forbearance of those among whom this power is distributed. In this respect the example of England may well be imitated. The Sovereign using the prerogative of the Crown to the utmost extent, and the House of Commons exerting its power of the purse, to carry all its resolutions into immediate effect, would produce confusion in the country in less than

In these views Mr Thompson fully concurred. He saw clearly as a consequence the necessity of making the Executive Council harmonise with the House of Assembly, by rendering its principal members dependent for their position, as in England, on the majority in the latter. In this way the Canadian ministry would be directly responsible to the people, who in their choice of representatives, pledged to support the ministry or otherwise, could declare at the polls whether they placed confidence in or distrusted the executive. That he had a most difficult task to accomplish will readily be perceived. There was no party in the country on whom he could confidently rely for support. The Family Compact majority in the Legislative Council had already shown by their vote that they were opposed to the union; an alteration in that council must lead to unfavourable comment in England and Canada, while he was unable to ascertain how far the Reform party might be disposed to second his views. Many of the latter were opposed to a union, and there was, accordingly, no settled party in the country on which he could rely to support the policy of his administration. He, therefore, went to work with the means already at his disposal, and made no alteration either in the Special Council of Lower Canada, or in the Legislative Council of the sister province. This course sheltered him from all imputations of using sinister or improper means to carry out his policy, and gave additional weight to the decision of the Canadian legislative bodies in England. His policy was a manly and straightforward one, and deserved the great success which it ultimately met with.

On the Governor-General's arrival at Quebec, he was presented with several addresses from the inhabitants, one of which urged upon his notice the propriety of making that city the seat of government. He made no stay there, however, and immediately proceeded to Montreal, where he convened the Special Council on the 11th of November, and shortly after directed their attention to her Majesty's message, of the preceding 3d of May, to both Houses of the British Parliament, relative to the legislative reunion of Upper and Lower Canada. He explained, at the same time, the views entertained by

a twelvemonth. So in a colony: the Governor thwarting every legitimate proposition of the Assembly, and the Assembly continually recurring to its power of refusing supplies, can but disturb all political relations, embarrass trade, and retard the prosperity of the people. Each must exercise a wise moderation. The Governor must only oppose the wishes of the Assembly where the honour of the Crown, or the interests of the empire, are deeply concerned; and the Assembly must be ready to modify some of its measures for the sake of harmony, and from a reverent attachment to the authority of Great Britain."

the Home Government on this head, and their desire to have the existing suspension of the Constitution put an end to, that the resources of the country might be more fully developed, and the peace and happiness of all classes of its inhabitants effectually secured. "Mutual sacrifices," said his Excellency, "were undoubtedly required, mutual concessions would be demanded; but I entertain no doubt that the terms of the union would be finally adjusted by the Imperial Parliament, with fairness to both provinces, and with the utmost advantage to their inhabitants."

The Governor-General met with little difficulty in inducing the Special Council to second his views, by their favourable action on the union question. On the 13th, a series of six resolutions were agreed to by the majority of that body, as the basis on which they were willing to unite the lower with the upper province.\*

\* "1. That under existing circumstances, in order to provide adequately for the peace and tranquillity, and the good, constitutional, and efficient government of the provinces of Upper and Lower Canada, the reunion of these provinces under one legislature, in the opinion of this council, has become of indispensable and urgent necessity.

"2. That the declared determination of her Majesty, conveyed in her gracious message to Parliament, to reunite the provinces of Upper and Lower Canada, is in accordance with the opinion entertained by this council, and receives their ready acquiescence.

"3. That among the principal enactments which, in the opinion of this council, ought to make part of the Imperial Act for reuniting the provinces, it is expedient and desirable that a suitable civil list should be provided for, securing the independence of judges, and maintaining the Executive Government in the exercise of its necessary and indispensable functions.

"4. That regard being had to the nature of the public debt of Upper Canada, and the objects for which principally it was contracted, namely, the improvement of internal communications, alike useful and beneficial for both provinces, it would be just and reasonable, in the opinion of this council, that such part of said debt as has been contracted for this object, and not for defraying expenses of a local nature, should be chargeable on the revenues of both provinces.

"5. That the adjustment and settlement of the terms of the reunion of the two provinces may, in the opinion of this council, with all confidence be submitted to the wisdom and justice of the Imperial Parliament, under the full assurance that provision of the nature of those already mentioned, as well as such others as the measure of reunion may require, will receive due consideration.

"6. That, in the opinion of this council, it is most expedient, with a view to the security of her Majesty's North American provinces, and the speedy cessation of the enormous expense now incurred by the parent state for the defence of Upper and Lower Canada, that the present temporary Legislature of this province should, as soon as practicable, be succeeded by a permanent Legislature, in which the people of these two provinces may be adequately represented, and their constitutional rights exercised and maintained

This important question being thus disposed of, so far as regarded Lower Canada, the Special Council were discharged from further attendance for the present. In this settlement of the question at issue, so agreeable to persons of British birth and origin in Lower Canada, the wishes of the French population were not consulted. They were still, so far as the great majority were concerned, as much opposed to a union with Upper Canada as ever; but, by their recent disaffection, they had forfeited every just right to be consulted in the matter. The feelings of the loyal inhabitants were, therefore, alone taken into consideration, and how the interests of the Canadas, and of the empire at large, could be best subserved. Yet there can be no doubt that this policy was fully as beneficial to the French population, as to any other class of the community. The benefits and privileges it secured, belong to them equally with Canadians of British origin, and in the sober exercise of constitutional liberty, they are far happier and better every way than they could possibly be as a province of France, an independent republic, like Mexico, or a State of the American Union. The course pursued hitherto by the majority of the French-Canadians clearly showed they were unfitted for the sober exercise of constitutional government, and that the peace and prosperity of these provinces could alone be effectually secured by uniting that majority more intimately with the inhabitants of British descent. The governmental hypothesis assumed by Mr Pitt in 1791 had been found by experience to be completely in error, and the policy of union advocated by his great rival Fox was at length about to triumph.\*

\* The following letter from Mr Thompson to Lord John Russell, under date 18th Nov. 1839, presents a correct picture of how matters stood at this period:—

“MY LORD,—I have the honour to inform your lordship, that having summoned the Special Council by proclamation, to meet on Monday, the 11th instant, I then submitted to them the question of the reunion of the two provinces of Upper and Lower Canada, and solicited their opinion respecting it.

“On Thursday, the 14th inst., I received from that body the address, of which, and my answer, I have the honour to enclose copies; and I likewise transmit an extract from the journals, from which your lordship will learn their proceedings.

“I beg your lordship to remark, that the members composing the Special Council remain the same as during the administration of my predecessor. It may be necessary hereafter, in the exercise of my discretion, to make some alterations, with a view to increase the efficiency of that body; but I felt that, as the opinions of her Majesty's Government in regard to the union are well known, it was extremely desirable that I should, if possible, submit the consideration of that important question to a council in whose selection I had myself had no voice.

“It appeared to me that to secure the due weight in the mother-country to the

The preliminary steps towards the union having been fully accomplished in Lower Canada, the Governor-General proceeded to the Upper Province, and arrived at Toronto on the 21st of November. On the following day he assumed temporary charge of the adminis-

tration of a body so constituted, it was indispensable to avoid even the possibility of an imputation that I had selected for its members those only whose opinions coincided with my own.

"I had moreover every reason to believe, from the motives which guided my predecessor in his choice, that the council contains a very fair representation of the state of feeling in the different districts of the province.

"For these reasons I determined on making no alteration whatever ; and it is with great satisfaction that I can now refer to the opinions of this body, adopted almost unanimously. Their views as to the urgency of the union, and the advantages likely to result from it to the province, are set forth in their address in terms so forcible, as to leave me nothing to say with reference to their opinion. But I must add, that it is my decided conviction, grounded upon such other opportunities as I have enjoyed since my arrival in this country of ascertaining the state of public feeling, the speedy adoption of that measure by Parliament is indispensable to the future peace and prosperity of this province.

"All parties look with extreme dissatisfaction at the present state of government. Those of British origin, attached by feeling and education to a constitutional form of government, although they acquiesced at the time in the establishment of arbitrary power, as a refuge from a yet worse despotism, submit with impatience to its continuance, and regret the loss, through no fault of their own, of what they consider as their birthright. Those of the French-Canadians who remained loyal to their Sovereign and true to the British connexion, share the same feeling ; whilst among those who are less well affected or more easily deceived, the suspension of all constitutional rights affords to reckless and unprincipled agitators a constant topic of excitement.

"All parties, therefore, without exception, demand a change ; on the nature of that change, there undoubtedly exists some difference of opinion.

"In a country so lately convulsed, and where passions are still so much excited, extreme opinions cannot but exist ; and accordingly, while some persons advocate an immediate return to the former constitution of the province, others propose either the exclusion from political privileges of all of French origin, or the partial dismemberment of the province, with the view of conferring on one portion a representative system, while maintaining in the other a despotism.

"I have observed, however, that the advocates of these widely different opinions have generally admitted them to be their aspirations, rather than measures which could practically be adopted, and have been unable to suggest any course except the union by which that at which they aim, namely, constitutional government for themselves, could be permanently and safely established.

"There exists, too, even amongst these persons, a strong and prevailing desire that the Imperial Legislature should take the settlement of Canadian affairs at once into its own hands, rather than that it should be delayed by reference to individual opinions, or to those put forward by different sections of local parties.

"The large majority, however, of those whose opinions I have had the oppor-

tration, and was sworn in at the Council Chamber, in presence of the heads of departments and several of the principal inhabitants, when the Lieutenant-Governor, Sir George Arthur, still the decided enemy of responsible government, placed the great seal of the province in his hands. The Legislature of Upper Canada had already been summoned to meet for the despatch of business on the 3d of December. On that day, the last session of the last Parliament of this province was opened by the Governor-General with a lucid speech, which showed the intimate knowledge he had already acquired of the condition of affairs.\*

tunity of learning, both of the British and French origin, and of those, too, whose character and station entitle them to the greatest authority, advocate warmly the establishment of the union, and that upon terms of perfect fairness, not merely to the two provinces, but to the two races within these provinces. Of the extent to which this feeling with regard to the upper province is carried, your lordship will find a most conclusive proof in the resolution of the Special Council respecting the debt of Upper Canada. By this resolution a large sum, owing by that province on account of public works of a general nature, is proposed to be charged on the joint revenues of the united provinces. Upon other details of the arrangement, the same feeling prevails. It would be, however, useless for me to trouble your lordship with respect to them, until I have had the opinions entertained by the people of Upper Canada. If, however, as I trust, the principle of reunion should meet with their assent, I am of opinion that it can only be in consequence of demands of an unwarrantable character upon their part, that difficulty will arise in settling principal terms."

\* "In discharge of the duties of Governor-General of British North America, confided to me by our gracious Sovereign, I have deemed it advisable to take the earliest opportunity of visiting this province, and of assembling Parliament.

"I am commanded by the Queen to assure you of her Majesty's fixed determination to maintain the connexion now subsisting between her North American possessions and the United Kingdom, and to exercise the high authority with which she has been invested, by the favour of Divine Providence, for the promotion of their happiness, and the security of her dominions.

"It is with great satisfaction I can inform you that I have no grounds for apprehending a recurrence of those aggressions upon our frontier which we had lately to deplore, and which affix an indelible disgrace on their authors.

"If, however, unforeseen circumstances should again call for exertion, I know from the past, that in the zeal and loyalty of the people of Upper Canada, and in the protection of the parent state, we possess ample means of defence, and to those I should confidently appeal.

"I earnestly hope, that this state of tranquillity will prove favourable to the consideration of the important matters to which your attention must be called during the present session.

"It will be my duty to bring under your consideration, at the earliest possible moment, the subject of the legislative reunion of this province with Lower Canada—recommended by her Majesty to the Imperial Parliament. I shall do so in the full confidence that you will see, in the measure which I shall have to

The Governor-General had speedily discovered, on his arrival in Upper Canada, that considerable difficulty would be experienced in procuring the assent of its Legislature to the union. However favourably disposed the Assembly might be to that measure, the majority of the Upper House were decidedly opposed to it. Responsible

submit, a fresh proof of the deep interest felt by the Queen in the welfare of her subjects in Upper Canada, and that it will receive from you that calm and deliberate consideration which its importance demands.

"The condition of the public departments in the province will require your best attention. In compliance with the address of the House of Assembly of last session, the Lieutenant-Governor appointed a commission to investigate and report upon the manner in which the duties of those departments are performed. The commissioners have already conducted their inquiries to an advanced stage; and the result of them will be communicated to you as soon as they shall be completed.

"I am happy to inform you that her Majesty's Government have concluded an arrangement for opening a communication by steam between Great Britain and the British possessions in North America. In the completion of this arrangement, her Majesty's Government have allowed no consideration to interfere with the paramount object of promoting the public advantage and convenience. I feel confident that the liberality with which the parent state has assumed the whole expense of the undertaking will be duly appreciated by you.

"The answers of her Majesty to various addresses, adopted by you during your last session, and her Majesty's decisions on the bills passed by you, but reserved for the signification of her royal pleasure, will be made known to you without loss of time.

"The financial condition of the province will claim your early and most attentive consideration. To preserve public credit is at all times a sacred obligation; but in a country so essentially dependent upon it for the means of future improvement, it is a matter no less of policy than of duty. It is indispensable, then, that measures should be at once adopted for enabling the provincial revenue to fulfil its obligations, and to defray the necessary expenses of the Government.\* It will be my anxious desire to co-operate with you in effecting this object; and I feel confident that, by the adoption of measures calculated to promote the full development of the resources of this fine country, the difficulty may be overcome. The officer by whom, under your authority, these obligations have been contracted, will be able to afford you every information; and I shall direct a statement of your financial condition to be immediately submitted to you.

"The estimates for the ensuing year will be prepared with every regard for economy, compatible with the due execution of the service of the province.

"It is with great satisfaction I find that notwithstanding commercial difficulties which prevail in the neighbouring States, the banks of this province have resumed specie payments; and I congratulate you upon the guarantee thus afforded of the greater security and stability of our pecuniary transactions—a circumstance which cannot fail to be attended with the most beneficial results.

"I am commanded again to submit to you the surrender of the casual and territorial revenues of the Crown, in exchange for a civil list; and I shall take an early opportunity of explaining the grounds on which her Majesty's Government felt precluded from assenting to the settlement which you lately proposed.

government must follow in its wake, and in the re-organisation of the Council, the Family Compact saw that the last remnant of their power must for ever disappear. Hitherto, the principal offices of Government and the seats in the Legislative Council were regarded almost as the hereditary rights of a few leading families. Members of the executive who happened to belong to the Legislature, had usually spoken and acted in their individual capacity, without the slightest reference to the views or wishes of the Governor. All this would be changed by the system now proposed to be adopted, which must improve the position of the representatives of the Crown, as well as elevate the people. The oligarchy alone would suffer by the change, and they, accordingly, now felt indisposed to submit to the loss of power it must entail. The Governor-General saw at once the critical position of matters, and with great tact published at the right time a despatch, which plainly indorsed his views, from Lord John Russell, which, as it placed the majority of the Legislative Council in opposition to the Crown, must necessarily, in consequence of their loyal attachment thereto, compel their submission. Agreeable to the tenor of this despatch, also, such of the members of the executive as belonged to the Legislature were under the necessity of supporting the union or of resigning their places. The majority of them preferred the former course, and the Union Bill was accordingly introduced as a Government measure. Having smoothed the way thus far, his Excellency transmitted a message to the Legislature on the 7th of December, which clearly set forth the policy he desired it to pursue.\*

They are of a nature which lead me to anticipate your ready assent to their removal, and to the final settlement of the question.

"In assuming the administration of the government of these provinces, at the present time, I have not disguised from myself the arduous task which I have undertaken. The affairs of the Canadas have, for some years back, occupied much of the attention of the Imperial Parliament, and of the Government; and their settlement upon a firm and comprehensive basis admits of no further delay.

"To effect that settlement, upon terms satisfactory to the people of these provinces, and affording security for their continued connexion with the British Empire, will be my endeavour; and I confidently appeal to your wisdom and to the loyalty and good sense of the people of this province, to co-operate with me for the preparation and adoption of such measures as may, under Divine Providence, restore to this country peace, concord, and prosperity."

\* The following is the Governor-General's message:—

"In pursuance of the intention expressed in his speech from the throne, the Governor-General desires now to bring under the consideration of the House of Assembly the subject of the reunion of this province with Lower Canada,



### The question of the union of the provinces of Upper and Lower

recommended by her Majesty in her gracious message to both Houses of Parliament on the 3d of May last.

"For several years the condition of the Canadas has occupied a large portion of the attention of Parliament. That they should be contented and prosperous; that the ties which bind them to the parent state should be strengthened; that their administration should be conducted in accordance with the wishes of the people, is the ardent desire of every British statesman; and the experience of the last few years amply testifies that Parliament has been sparing neither of the time it has devoted to the investigation of their affairs, nor of the expenditure it has sanctioned for their protection.

"The events which have marked the recent history of Lower Canada are so familiar to the House of Assembly, that it is unnecessary for the Governor-General further to allude to them. There, the Constitution is suspended, but the powers of the Government are inadequate to permit of the enactment of such permanent laws as are required for the benefit of the people.

"Within this province the finances are deranged; public improvements are suspended; private enterprise is checked; the tide of immigration, so essential to the prosperity of the country and to the British connexion, has ceased to flow; while by many the general system of government is declared to be unsatisfactory.

"After the most attentive and anxious consideration of the state of these provinces, and the difficulties under which they respectively labour, her Majesty's advisers came to the conclusion, that by their reunion alone could these difficulties be removed. During the last session of the Imperial Legislature they indeed refrained from pressing immediate legislation, but their hesitation proceeded from no doubt as to the measure or its necessity. It arose solely from a desire to ascertain more fully the opinions of the Legislature of Upper Canada, and to collect information from which the details might be rendered more satisfactory to the people of both provinces.

"The time then is now arrived beyond which a settlement cannot be postponed. In Lower Canada it is indispensable to afford a safe and practicable return to a constitutional government, and so far as the feelings of the inhabitants can be there ascertained, the measure of the reunion meets with approbation.

"In Upper Canada it is no less necessary, to enable the province to meet her financial embarrassments, and to proceed in the development of her natural resources. There are evidently no means in this province of fulfilling the pecuniary obligations which have been contracted, but by a great increase in the local revenues. But so long as Lower Canada remains under her present form of government, neither province possesses any power over the only source from which that increase can be drawn. Nor even, were it possible to restore a representative constitution to Lower Canada, unaccompanied by the union, would the position of this province be much improved, since past experience has shown the difficulty of procuring assent to any alteration of the customs laws suggested from hence.

"This province has engaged in undertakings which reflect the highest honour on the enterprise and industry of her inhabitants. The public works which she has completed or commenced, have been conceived in a spirit worthy of a successful result. But additional means are indispensable to avert the ruin of some, and secure the completion of others. Nor will that alone suffice; Lower Canada holds

Canada, having been satisfactorily disposed of in the Upper House,

the key to all those improvements. Without her co-operation, the navigation for which nature has done so much, and for which this province has so deeply burthened itself, must remain incomplete, and a barrier be opposed to the development of those great natural resources which the hand of Providence has so lavishly bestowed on this country.

"With a view to remove all those difficulties; to relieve the financial embarrassments of Upper Canada; to enable her to complete her public works and to develop her agricultural capabilities; to restore constitutional government to Lower Canada; to establish a firm, impartial, and vigorous government for both; and to unite the people within them in one common feeling of attachment to British institutions and British connexion, the union is desired by her Majesty's Government; and that measure alone, if based upon just principles, appears adequate to the occasion.

"Those principles, in the opinion of her Majesty's advisers, are, a just regard to the claims of either province in adjusting the terms of the union, the maintenance of the three estates of the Provincial Legislature, the settlement of a permanent civil list for securing the independence of the judges and to the executive government that freedom of action which is necessary for the public good, and the establishment of a system of local government adapted to the wants of the people.

"It was with great satisfaction then that her Majesty's Government learnt, that upon the question of the union itself the House of Assembly had pronounced their decided judgment during their last session; and it will only remain for the Governor-General now to invite their assent to the terms upon which it is sought to be effected. Their decision was indeed accompanied by recommendations to which the Government could not agree; but the Governor-General entertains no doubt that, under the altered circumstances, they will no more be renewed. It will be for the Imperial Parliament, guided by their intimate knowledge of constitutional law, and free from the bias of local feelings and interests, to arrange the details of the measure.

"The first of the terms of reunion, to which the Governor-General desires the assent of the House of Assembly, is equal representation of each province in a united legislature. Considering the amount of the population of Lower Canada, this proposition might seem to place that province in a less favourable position than Upper Canada; but, under the circumstances in which this province is placed, with the increasing population to be expected from immigration, and having regard to the commercial and agricultural enterprise of its inhabitants, an equal apportionment of representation appears desirable.

"The second stipulation to be made is the grant of a sufficient civil list. The propriety of rendering the judicial bench independent alike of the Executive and the Legislature, and of the furnishing the means of carrying on the indispensable services of the Government, admits of no question, and has been affirmed by the Parliament of Upper Canada in the acts passed by them for effecting those objects. In determining the amount of the civil list, the House of Assembly may be assured that the salaries and expenses to be paid from it will be calculated by her Majesty's Government with a strict regard to economy and the state of the provincial finances.

"Thirdly, the Governor-General is prepared to recommend to Parliament,

there was no further difficulty to be apprehended. The House of Assembly had already favourably considered the measure, and at

that so much of the existing debt of Upper Canada as has been contracted for public works of a general nature, should, after the union, be charged on the joint revenue of the united provinces. Adverting to the nature of the works for which this debt was contracted, and the advantage which must result from them to Lower Canada, it is not unjust that that province should bear a proportion of their expenses.

"On these principles, the Governor-General is of opinion that a reunion of the two provinces may be effected—equitable and satisfactory in its terms, and beneficial in its results to all classes. He submits them to the consideration of the House of Assembly, in the full conviction of their importance, and in the hope that they will receive the assent of that House. Fortified by the expression of their opinion, her Majesty's Government and Parliament will be able at once to apply themselves to the full development of the scheme, and to the consideration of the provision by which it may be carried into effect with the greatest advantage to the people of both provinces.

"If, in the course of their proceedings, the House of Assembly should desire any information which it is in the power of the Governor-General to afford, they will find him ready and anxious to communicate with them frankly and fully, and to aid, by all the means in his power, that settlement on which he firmly believes that the future prosperity and advancement of these colonies mainly depend."

This message led to the passage of the following resolutions in the Legislative Council by a large majority:—

"Resolved, 1,—That the events which have lately marked the history of Lower Canada—the consequent necessity for a suspension of her constitution, and inadequacy of the powers of the Government existing there for the enactment of permanent laws, such as are required for the benefit of the people, present a state of public affairs in the sister province deeply to be deplored by this House, as well from a disinterested anxiety for the welfare of a people so nearly connected with Upper Canada, as in consideration of the injurious consequences resulting to this community from a continuance of the unsettled political condition of the lower province.

"Resolved, 2,—That the present derangement of the finances of Upper Canada—the total suspension of her public improvements—the paralysed condition of private enterprise—the cessation of immigration, and the apparent impossibility of the removal of these evils, without the united efforts of both the Canadian provinces—make the adoption of some great measure necessary, which will restore prosperity to the Canadas, and renew confidence at home and abroad in the stability of their political institutions.

"Resolved, 3,—That considering the hopelessness arising from past experience, and from a view of the political condition of Lower Canada, of ever realising in separate legislatures the unity of feeling or action in measures affecting equally the interests of both provinces, on which the prosperity or safety of either may essentially depend, a reunion of the provinces of Upper and Lower Canada has, in the opinion of this House, become indispensable for the restoration of good government within these colonies, and for the preservation of institutions in connexion with the parent state.

once proceeded to pass resolutions, four in number, in accordance with the recommendation in the Governor-General's message.\*

"Resolved, 4,—That for these urgent reasons, the assent of this House be expressed to the enactment of the important measure of reunion of the provinces of Upper and Lower Canada, recommended by her Majesty to both Houses of Parliament, and to the Houses of the Provincial Legislature by his Excellency the Governor-General; and that such assent, on the part of this House, be given on the following terms:—

"First, That there be an equal representation of each province in the united Legislature.

"Secondly, That a sufficient permanent civil list be granted to her Majesty, to enable her Majesty to render the judicial bench independent alike of executive power and popular influence, and to carry on the indispensable services of government.

"Thirdly, That the public debt of this province, contracted for public works of a general nature, shall, after the union, be charged on the joint revenue of the united province.

"Resolved, 5,—That in yielding this ready concurrence to the measure of the reunion of the provinces, strongly recommended by her Majesty, the Legislative Council of Upper Canada rely upon the wisdom and justice of their most gracious Sovereign, and of her Majesty's Parliament, for devising the details of the plan of reunion, and for the establishment of such a system of government in the united province, as will tend to the development of its natural resources, and enable it, with the blessing of Divine Providence, to pursue steadily, and free from the distractions by which the country has lately been divided, the course of prosperity and happiness, which the best interests of the people of Canada, and of the empire, alike require not to be longer impeded."

\* "Resolved,—That the House of Assembly, at its last session, declared that, in their opinion, a united legislature for the Canadas, on certain terms, was indispensable, and that further delay must prove ruinous to their best interests, and that his Excellency, the Governor-General, by his message to this House, has announced, that with a view to remove the difficulties of these provinces, to relieve the financial embarrassment of Upper Canada, to enable her to complete her public works, and develop her agricultural capabilities, to restore constitutional government to Lower Canada, to establish a firm, impartial, and vigorous government for both, and to unite the people within them in one common feeling of attachment to British institutions and British connexion; the legislative union of Upper and Lower Canada has been recommended by her Majesty to the Imperial Parliament; and his Excellency the Governor-General has invited the assent of this House to certain specified terms, upon which that union may be established. It, therefore, becomes the duty of the representatives of the people of this province carefully to consider the provisions by which this measure may be carried into effect, with the greatest security to their future peace, welfare, and good government, and the permanent connexion of these colonies with the British Empire."—Yeas, forty-seven. Nays, six.

"Resolved,—That this House concur in the proposition that there be an equal representation of each province in the united Legislature."—Yeas, thirty-three. Nays, twenty.

"Resolved,—That this House concur in the proposition, that a sufficient civil list

Thus satisfactorily terminated in Canada the important proceedings

be granted to her Majesty, for securing the independence of the judges, and to the Executive Government that freedom of action which is necessary for the public good. The grant for the person administering the government, and for the judges of the several superior courts, to be permanent; and for the officers conducting the other departments of the public service, to be for the life of the Sovereign, and for a period of not less than ten years."—Yeas, forty-three. Nays, eight.

"Resolved,—That the public debt of this province shall, after the union, be charged on the joint revenue of the united province."—Unanimous.

In accordance with these resolutions the following address was voted to her Majesty, and transmitted to England through the Governor-General :—

"We, your Majesty's most dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, beg permission to approach your Majesty with renewed expression of our unwavering attachment to your Majesty's royal person and government.

"During the present session of your Provincial Parliament, a subject more important than any that has ever engaged the attention of the representatives of the people, has been brought under their consideration, in pursuance of the commands of your Majesty, by your Majesty's Governor-General of these provinces, namely, the legislative reunion of Upper and Lower Canada. In the message of his Excellency to the two branches of the Legislature, they are informed that 'after the most attentive and anxious consideration of the state of these provinces, and of the difficulties under which they respectively labour, your Majesty's advisers came to the conclusion that by their reunion alone could these difficulties be removed; that during the last session of the Imperial Legislature they refrained from pressing immediate legislation, but their hesitation proceeded from no doubt as to the principle of the measure, or its necessity; it arose solely from the desire to ascertain more fully the opinions of the Legislature of Upper Canada, and to collect information from which the details might be rendered more satisfactory to the people of both provinces.'

"The House of Assembly deeply feel this additional proof of your Majesty's solicitude for their happiness and prosperity; and it will ever be held by them in grateful remembrance.

"In pursuance of the message referred to, the House of Assembly lost no time in taking into consideration three distinct propositions submitted by your Majesty's Governor-General as the basis on which the reunion might be established, namely, first, equal representations of each province in the united legislature;—secondly, the grant of a sufficient civil list; and, thirdly, that the public debt of this province be charged on the joint revenue of the united province.

"In the discussion of these propositions, it happened that some of the members of this House, apprehending the greatest danger to our civil and political institutions, and even to our connexion with the parent state, were opposed to the union on any terms, while of those who supported the measure, there were many who were not wholly free from apprehensions as to the result, and who regarded it as a hazardous experiment, unless in addition to terms submitted by the Governor-General, certain details calculated to secure their connexion with the Imperial Crown should accompany their concurrence with the terms proposed. A majority, however, gave their unconditional assent to the propositions above mentioned, in the fullest confidence that your Majesty, in calling the attention of the Imperial

relative to a union of the provinces. The action of the Imperial Parliament was now alone necessary for its final accomplishment, and the Governor-General lost no time in transmitting to England an account of his success, and a draft of a Union

1840.

Parliament to the union, would at the same time recommend the adoption of every necessary safeguard to the maintenance of British interests and British supremacy. It is in this confidence that we now humbly submit to your Majesty's most gracious consideration the following propositions which, in the opinion of this House, are calculated to secure the great end, in expectation whereof the assent to the union was given :—

“And first, we respectfully entreat your Majesty, that the use of the English language in all judicial and legislative records be forthwith introduced; and that at the end of a space of a given number of years, after the union, all debates in the Legislature shall be in English. And as a matter of justice to your Majesty's subjects in Upper Canada, we earnestly and confidently appeal to your Majesty to admit their right to have the seat of the Provincial Government established within this province. It cannot be denied to the people of this colony, that if favour is to be shown to either Upper or Lower Canada, their claim stands pre-eminent; independent of which, the moral and political advantages of the concession are too obvious and undeniable to admit of dispute.

“It is with the most sincere satisfaction that this House has received from your Majesty's representative the assurance that the bill introduced into the House of Commons during the last session of the Imperial Legislature, is not to be ‘considered as embodying the provisions which may hereafter be adopted by the Imperial Parliament.’ And, ‘that it is his Excellency's intention to recommend to her Majesty's Government, in the new measure that must be introduced, to adhere as much as possible to existing territorial divisions for electoral purposes, and to maintain the principle of the Constitutional Act of 1791, with regard to the tenure of seats in the Legislative Council.’

“We would further respectfully submit the necessity of providing that the members of the Legislature should possess a stake in the country equal to that now required by the laws of this province, that to the call of public duty that of private interest may be added, as an inducement to wise and careful legislation; and for this purpose we trust that a sufficient qualification in real estate will be required from any person holding a seat in the Legislature.

“We would also respectfully suggest to your Majesty the paramount subject of immigration from the British Isles, which we consider the best calculated to render the united province British in fact as well as in name. No time, in our humble opinion, should be lost in the establishment and vigorous prosecution of a well-organised system of immigration, calculated to afford every possible facility to the settlement of that extensive domain, the proceeds of which have been proposed to be surrendered to the control of the Provincial Legislature, upon certain terms and conditions, which in Upper and Lower Canada is at present, in right of the Crown, at your Majesty's disposal.

“We have no desire to interfere unnecessarily in questions of detail, which more immediately affect the sister province; but we cannot omit respectfully soliciting your Majesty's attention to the introduction of a system of municipal government into Lower Canada, in order to provide for local taxation, and

Bill\* principally prepared by Sir James Stuart. The Imperial Parliament was then in session, and Lord John Russell, on receiving intelligence of the proceedings in the Legislature of Upper Canada,

under local management, on the same principles as have obtained in Upper Canada, where the system established by the Provincial Legislature, after repeated and careful revision, has in its operation proved highly satisfactory to the people.

"We would, lastly, desire humbly to assure your Majesty, that to the principles on which our Constitution has been established, to the representative mode of government under a monarchy, and to a permanent connexion with the British Empire, and a dutiful allegiance to our Sovereign, the people of Upper Canada most faithfully and firmly adhere.

"It is only from apprehensions of danger on these most important matters, that doubt or difficulty has been felt in assenting to the union; and we therefore now humbly trust that your Majesty, fully acquainted with our situation, will not confine your royal consideration to the claims that are referred to in this address, or in any other proceeding of this House, but that, continuing to us that gracious and generous protection we have hitherto experienced from your Majesty and the British nation, your Majesty will add such future safeguards as in your wisdom may be thought necessary and desirable to protect your faithful subjects in the peaceful enjoyment of their laws and liberties, and to perpetuate their connexion with your Majesty's Crown and Empire."

\* It provides for the union under the name of THE PROVINCE OF CANADA.

For the constitution of one Legislative Council and one House of Assembly, under the title of "The Legislative Council and Assembly of Canada.

The Council not to be composed of fewer than twenty natural born or naturalised subjects of the Queen, the tenure of such office being for life, excepting the member chooses to resign, is absent from his duties without cause or permission for two successive sessions, shall become a citizen or subject of any foreign power, or become bankrupt, an insolvent debtor, public defaulter, or attainted of treason, or be convicted of felony, or of any infamous crime.

The Speaker of the Legislative Council to be appointed by the Governor, who may remove him and appoint another. Ten members to constitute a quorum, including the Speaker.

The Houses of Assembly to consist of members chosen from the same places as heretofore divided into counties and ridings in Upper Canada; but that the counties of Halton, Northumberland, and Lincoln shall each be divided into two ridings, and return one member for each riding.

That the city of Toronto shall have two members; and the towns of Kingston, Brockville, Hamilton, Cornwall, Niagara, London, and Bytown, one each.

That in Lower Canada every county heretofore represented by one member, shall continue to be so represented, excepting Montmorency, Orleans, L'Assomption, La Chesnaye, L'Acadia, La Prairie, Dorchester, and Beauce. These to be conjoined as follows: Montmorency and Orleans into the county of Montmorency; L'Assomption and La Chesnaye to be the county of Leinster; L'Acadia and La Prairie, that of Huntingdon; and Dorchester and Beauce, that of Dorchester; and each of these four new counties to return one member.

The cities of Quebec and Montreal to return two members each; and the towns of Three Rivers and Sherbrooke, one each.

laid the bill before the Commons; which, with the exception of clauses for the creation of municipal councils, which were most properly left for local legislation, passed both Houses, and received

The qualifications of a member to be those of *bona fide* possession of landed estate worth £500 sterling.

The English language is to be only used in all written or printed proceedings of the Legislature.

The passing of any bill to repeal the provision of the 14th George III., or in the acts of 31st of the same reign relating to the government of the Province of Quebec, and the dues and rights of the clergy of the Church of Rome; the allotment or appropriation of lands for the support of a Protestant clergy; the endowments of the Church of England, or its internal discipline or establishment, or affecting the enjoyment or exercise of any form or mode of religious worship in any way whatever; or which may affect her Majesty's prerogative touching the waste lands of the Crown, must be first submitted to the Imperial Parliament previous to the declaration of the Sovereign's assent, and that if the Imperial Legislature shall petition the Queen to withhold her assent within thirty days after such act shall have been received, it shall not be lawful to affix the Royal assent thereto.

The levying of imperial and colonial duties; the appointment of a court of appeal; the administration of the civil and criminal laws; the fixation of the Court of Queen's Bench within the late Province of Upper Canada; the regulation of trade; the consolidation of all the revenues derivable from the colony into one fund, to be appropriated for the public service of Canada.

Out of this fund £45,000 to be payable to her Majesty, her heirs and successors, for the purpose of defraying the expenses for the administration of the government and the laws on the Civil List, as follows:—

Governor, £7000; Lieutenant-Governor, £1000.

*Upper or Western Canada.*

One Chief-Justice, £1500; Four Puisne Judges, £900 each, £3600; One Vice-Chancellor, £1125.

*Lower or Eastern Canada.*

One Chief-Justice, £1500; Three Puisne Judges, Quebec, £900 each, £2700; One Chief-Justice, Montreal, £1100; Three Puisne Judges, Montreal, £900 each, £2700; One Resident Judge at Three Rivers, £900; One Judge of the Inferior District of Gaspé, £500; One Judge of the Inferior District of St Francis, £500; Pensions to Judges, Salaries of the Attorneys and Solicitors-General, and Contingent and Miscellaneous Expenses of the administration of justice throughout the Province of Canada, £20,875.

And a further sum of £30,000 out of the said Consolidated Revenue Fund for defraying the under-mentioned expenses of the Government:—

Civil Secretaries and their Offices, £8000; Provincial Secretaries and their Offices, £3000; Receiver-General and his Office, £3000; Inspector-General and his Office, £2000; Executive Council, £3000; Board of Works, £2000; Emigrant Agent, £700; Pensions, £5000; Contingent Expenses of Public Offices, £3300.

Both sums to be paid by the Receiver-General, upon the Governor's warrants, and the Receiver-General to account to the Lords of the Treasury; and all the



the royal assent on the 23d July. Owing to a suspending clause it did not take effect, however, till the 10th of February 1841, when it was declared in force by proclamation.

expenditure thereon to be laid before the Provincial Parliament within thirty days after the commencement of each session.

The total sum of £75,000 thus raised and paid for the civil list, to be accepted and taken by her Majesty by way of civil list, instead of all territorial and other revenues then at the disposal of the Crown.

The first charge upon the consolidated revenue fund to be its collection, management, and receipt ; the second, the public debt of the two provinces at the time of the union ; the third, the payment of the clergy of the Church of England, Church of Scotland, and the ministers of other Christian denominations, agreeably to previous laws and usages ; the fourth charge to be the civil list of £45,000 ; and the fifth, that of £30,000, payable during the lifetime of her Majesty, and for five years after her demise. The sixth charge to be that of the expenses and charges before levied and reserved by former acts of the two provinces, as long as they are payable.

All bills for appropriating any part of the revenues of the united province to originate with the Governor, who shall have the right of initiating the same, as well as of recommending the appropriation of any new tax or impost, and that, having thus been recommended, the Legislative Assembly shall first discuss the same.

The formation of new townships to originate with the Governor, as well as the appointment of township officers. The power vested in the Queen to annex the Magdalen Islands to the Government of the Island of Prince Edward, in the Gulf of St Lawrence ; and the appointment of Governor of the Province of Canada, to be understood as meaning Governor, Lieutenant-Governor, or person authorised by her Majesty, her heirs and successors, to execute the office of Governor of that province.

## CHAPTER XXIII.

GOVERNMENT OF LORD SYDENHAM,—*continued.*

THE most important and pressing Canadian question after the Union, was that of the Clergy Reserves, and it was, therefore, determined to dispose of it, if possible. A bill was accordingly introduced by Mr Draper, now Solicitor-General, early in 1840. January, empowering the Governor to sell these Reserves; part of the proceeds to be applied for payment of the salaries of the existing clergymen of the Church of England, to whom the faith of the Crown had been pledged. One-half of the remainder was to go to the Churches of England and Scotland, in proportion to their respective numbers; the other half, to all other denominations of Christians recognised by the existing laws, in a ratio to their annual private contributions for the support of their ministers. This bill passed the Assembly by a majority of eight. The measure, however, did not satisfy the Reform party, and the Clergy Reserve question continued to be a fruitful source of agitation.

Meanwhile, an address had been presented by the Assembly to the Governor-General, in order to elicit a distinct expression of his views on the question of responsible government. On the 14th of January he sent down a message in reply, which declared "that he had been commanded by her Majesty to administer the government in accordance with the well-understood wishes of the people; and to pay to their feelings, as expressed through their representatives, the deference that was justly due to them."

Thus, at last, was the principle of responsible government interwoven with the Constitution of Canada, a consummation so long struggled for by the Reform party. The Governor-General's message on this head was followed by the removal of Mr Hagerman, the Attorney-General, who had voted against the union in the Assembly. Mr Draper was appointed to the vacant post, while Robert Baldwin

the principal leader of the constitutional Reformers, was made Solicitor-General. Mr Hagerman for his long services was raised to the Bench. The business of the session having been satisfactorily concluded, the House was prorogued on the 10th of February. The Governor-General shortly after proceeded to Montreal, where he summoned the Special Council, not yet dissolved, to meet, and induced it to pass several useful laws. .

On Queenston Heights, near where the gallant Brock had fallen in 1812, the gratitude of the Canadian people had raised a beautiful hollow column to his memory, in the base of which his remains, and those of his aide-de-camp, Colonel M'Donald, had been deposited, having been removed thither from Niagara. This column was ascended by one hundred and seventy spiral steps. Its summit commanded a prospect of the noblest character, stretching over the blue expanse of Lake Ontario in one direction—in others, over an interminable succession of cultivated fields and magnificent woods. On the 17th of April, as day dawned, some ruffian, lost to every principle of honour, and influenced only with diabolical hatred to Canada, endeavoured to blow up this column with gunpowder. The explosion seriously injured the building. Although a large reward was offered at the time, no clue to the perpetrator has ever been discovered. But the people of Canada West would not consent that Brock should be without a memorial. A grand and imposing meeting, presided over by Sir George Arthur, was held by the militia and others, to the number of five thousand persons, beneath the shattered column on the 30th of July, and a subscription entered into to rebuild it.\*

The return of peace and order had again directed the current of immigration up the St Lawrence, to add to the population and wealth of the country. During the summer Mr Thompson made a protracted tour through the several British provinces, and was very favourably received. While popular with the majority of the Canadians, his measures had also given entire satisfaction to the Home Government, and the Queen was accordingly pleased to raise him to the peerage, by the title of Baron Sydenham of Kent and of Toronto.

Towards the close of the year, the imprisonment in the United States of Alexander M'Leod, who had been Deputy Sheriff of the Niagara District, for his presumed share in the destruction of the *Caroline*, threatened to involve this country in 1841. war. His acquittal, however, although by a court which had no

\* Another noble column has been erected after many delays.

jurisdiction in his case, released Great Britain from a most unpleasant dilemma, and terminated the excitement on this head. As the new year progressed the Conservative and Reform parties began to prepare for the general election, expected to take place immediately on the union of the two provinces being officially proclaimed.

This important event took place on the 10th of February, and as Kingston was now to be the seat of Government, preparations accordingly were promptly made there for the residence of the Governor-General and accommodation of the Legislature. On the 13th, writs, returnable on the 8th of April, were issued for a new election. An Executive Council for United Canada\* were also summoned, and other appointments made at the same time. With the new order of things ended the Lieutenant-Governorship of Upper Canada. Sir George Arthur's rule accordingly terminated. The administration of the Canadas has since been directed by one individual, in the person of a Governor-General or his representative.

The elections, at which considerable excitement took place, resulted in the return of a small Reform majority in Upper Canada. The Conservatives returned a large proportion of members, and it was evident that these two parties were of very nearly equal strength. The Family Compact were only able to elect seven members. The French members, numbering twenty-four, held the balance of power completely in their hands, and thus occupied a position somewhat analogous to that held at one time by the O'Connell party in the British House of Commons.

The Legislature was convened at Kingston on the 13th of June. The Assembly chose Mr Cuvillier, a French-Canadian Reformer, as their Speaker. The session was opened by the Governor-General in a clever and practical speech, alike distinguished for its moderation and good sense. It stated, with regard to M'Leod, whose case was still undecided, that her Majesty was fully determined to protect her Canadian subjects to the utmost of her power; it recommended a new arrangement for the post-office department, the completion of the public works of the province, for which purpose Great Britain was prepared to pledge her credit for £1,500,000 sterling, the en-

\* This council was composed of Messrs Sullivan, (President,) Dunn, Daly, Harrison, Ogden, Draper, Baldwin, and Day; all holding the higher offices of the state apart from their position of executive councillors. Under the system of responsible government members of Assembly accepting office are obliged to go back to their constituencies for re-election. If rejected, as a matter of course they cannot hold office.

couragement of immigration on an extended scale, the creation of municipal councils, and a better provision for education. It also stated, that a large sum would be annually expended by the Home Government for the military defences of the country, and declared the fixed determination of the Queen to maintain, at all hazards, the existing British provinces of North America as part of the empire. It concluded with a prayer that Providence might so direct their councils as to ensure to the Queen attached and loyal subjects, and to United Canada a prosperous and happy people.

But the fiery political ordeal through which Canada had so recently passed, rendered the wisdom and moderation of Lord Sydenham unavailing in at once removing every trace of dissension. He had to contend against lingering Tory prejudice, on one hand, and extreme Reform expectation, on the other, looking at once for sweeping ultra measures. Mr Baldwin, finding himself at issue on matters with the rest of the ministry, resigned, and joined himself to the opposition, formed by some twenty French members and fifteen Upper Canadian Reformers. Lord Sydenham had another difficulty to contend with, in the composition of the Legislative Council, into which many new members were now introduced, whose public reputation had yet to be formed, whilst others were excluded who had long been members of former councils. Some gentlemen, accordingly, refused to sit in the new council altogether, and others delayed being sworn in.

But Lord Sydenham was not a man to be deterred by the difficulties which met him in every direction, and sedulously applied himself to release Canada from its depressed condition. He procured the transfer of the Welland Canal stock from the private holders to the Government, introduced into the Legislature, during the session, through the executive members, bills for revising the customs laws, regulating the currency, promoting education, creating an efficient Board of Works, and erecting municipal corporations or district councils. In addition, he did much to heal the soreness of party feeling, and to cause the Assembly to unite on measures for the public good. But this benefactor of Canada, and of the empire at large, was not fated to witness the triumphant results of his labours in the great prosperity they were destined to produce. Incessant toil for the preceding two years had undermined a naturally delicate constitution, and most unfortunately the fall of his horse under him, while out riding on the 4th of September, fractured his leg, and caused a severe wound above the knee. His weak frame was unable to bear up against these injuries, and Canada, on the 19th of that

month, lost the ablest Governor which had hitherto guided its councils.

Short as his administration had been, his wise and vigorous policy had effected an immense improvement in the condition of these provinces. He found them suffering from recent intestine rebellion and foreign lawless aggression, their exchequer empty, their inhabitants mistrusting one another; and left them in the enjoyment of peace, mutual confidence in a measure re-established, restored credit, and the possession of a system of government which promised the most beneficial results; while the union with the mother-country was placed on the broad and secure basis of mutual interest and natural affection. The name of Wolfe is a great one in Canadian annals—that of Brock will never be forgotten by its people—the memory of Sydenham, the merchant pacificator of Canada, is equally worthy of reverence and honour. His reputation was a Canadian and not an English one, and when he desired to be buried at Kingston, he felt he was about to lay his ashes amid a people, with whose history he must be for ever associated. No column as yet has arisen to honour him; but the Union itself is a fitting monument to his memory; and the national peace and prosperity which it has produced, should teach every true patriot to cherish that memory with gratitude and respect.

On the 18th, the Legislature was prorogued by General Clitherow, appointed by the dying Governor-General for that purpose. “All is finished!” said the *Kingston Herald* three days afterwards. “Parliament is prorogued, and the Governor-General is no more. *Sic transit gloria mundi!* Let us now be calm and reflect on these occurrences, as men and Christians. The first Parliament of United Canada has ended well—well beyond all expectation, and much good has been achieved. The main positions of the new Government have been sustained, and some of the most essential measures of reform effected. Conflicting opinions have not been carried out to an injurious extent in any way, and the members have all parted in good humour.”

It appears as if Providence had decreed that the pact of Union should be solemnly sealed by the death of him who had so triumphantly effected it. No sooner had his hand subscribed the instruments of the first Legislature of United Canada, than it speedily stiffened in the cold grasp of inexorable death. It seems like sacrilege to sunder a union thus so strikingly accomplished. Men should pause ere they rashly make the attempt, and seek lessons of wisdom in the past.

## THE GOVERNMENT OF SIR CHARLES BAGOT.

In England the Whigs had been recently driven from office by their political opponents, and the latter selected Sir Charles Bagot, descended from an ancient family, and a High Churchman and Tory, to be Governor-General of Canada. He arrived at Kingston on the 10th of January, and was very favourably received by the inhabitants. The Government had meanwhile been administered by Sir Richard Jackson, the commander of the forces. 1842.

The new Governor-General's antecedents led the Conservative leaders to imagine that he would speedily lend himself to their views, and aid, as far as his position would permit him, in establishing their ascendancy in the ministry. Instead, however, of throwing himself at once into the hands of either party, he passed the winter and spring in making himself acquainted with the condition of the country generally, and of its political affairs in particular. Lord Sydenham, the Reform Governor-General, had been unwilling to admit any persons at all connected, unfavourably to the Crown, with the recent rebellion, to his councils. But Sir Charles Bagot, the old fashioned Tory, had no scruples whatever on this head. He determined to use whatever party he found capable of supporting a ministry, and accordingly made overtures to the French-Canadians and that section of the Reform party of Upper Canada, led by Mr Baldwin, who then formed the opposition in the Assembly.

There can be no question that this was the wisest line of policy he could adopt, and that it tended to remove the differences between the two races, and unite them more cordially for the common weal. The French-Canadian element was no longer in the ascendant—the English language had decidedly assumed the aggressive, and true wisdom consisted in forgetting the past, and opening the door of preferment to men of talent of French, as well as to those of British origin. The necessity of this line of policy was interwoven with the Union Act; and, after that, was the first great step towards the amalgamation of the races. A different policy would have nullified the principle of responsible government, and must have proved suicidal to any ministry seeking to carry it out. Sir Charles Bagot went on the broad principle, that the constitutional majority had the right to rule under the Constitution.

The course adopted by the Governor-General necessarily caused some changes in the ministry. Mr Draper resigned the Attorney-Generalship for Canada West; Mr Henry Sherwood, Solicitor-General for the same province, made way for Mr Aylwin. Mr

Hincks was created Inspector-General of Public Accounts; Mr Lafontaine became Attorney-General for Canada East; Mr Baldwin, for Canada West; and Mr Morin, Commissioner for Crown Lands. The decided supporters of the new ministry in the Assembly amounted to sixty members, the opposition to only twenty-four. The members of Assembly who accepted office, agreeable to the practice of the British House of Commons, went back to their constituents for re-election.

The new Inspector-General, Francis Hincks, and who now appeared prominently before the public for the first time, was unquestionably a man of no ordinary stamp. His father, the Rev. Dr Hincks, was a distinguished minister of the Irish Presbyterian Church, and whose five sons appear to have all inherited his great abilities. His youngest son, Francis, was born at Cork about 1806, commenced his education at Fermoy, in his father's grammar school, and eventually completed it in the classical and mathematical department of the Belfast Institution. After four months' initiation into business matters, in the office of a notary, he was articled for five years to a mercantile firm with whom he duly fulfilled his term in 1828. But he still remained in Martin & Co.'s employment, continued to retain their confidence, and sailed as the supercargo of one of their ships to the West Indies in the spring of 1830. In the same year he visited the United States and Canada, and determined to settle in the latter country. In 1832 he married, removed to Toronto, and commenced mercantile business, in which he did not meet with much success. His financial abilities, however, soon brought him into notice, and he was appointed secretary to an insurance company, cashier to a new banking concern, and was chosen, in 1835, to examine into the affairs of the Welland Canal Company, then in no small disorder. In the spring of 1838, he commenced the *Examiner* newspaper at Toronto, in the Reform interest, and speedily became so distinguished as a public journalist, that he was invited to become a candidate for the representation of the county of Oxford, in the new Union Parliament. He was returned by a majority of thirty-one over Carroll, his opponent; and, after his appointment as Inspector-General, was again elected for the same constituency by a much larger vote.

The Legislature was convened on the 8th of September, and opened by the Governor-General with a satisfactory speech. He alluded to the great change for the better which had taken place in the country, stated the very improved condition of the revenue, the advancement of the public works, the progress of educational



facilities, and the spirit of peace and contentment which pervaded society. After a short session the House was prorogued on the 22d of October. During its continuance thirty acts were passed, only a few of which were of much importance. Among the latter was an act making the law uniform, as regarded the vacation of seats by members of the Legislative Assembly accepting office; another to authorise the raising of a loan in England of £1,500,000 sterling, for the construction and completion of public works in the province; and a third granting the sum of £83,303 currency, for the expenses of the civil government of 1842, not otherwise provided for, and the additional sum of £27,777 currency, for the same class of expenditure, from 1st January to 31st March 1843. An account in detail of the expenditure of these sums was to be laid before the Houses of Parliament fifteen days after the opening of the ensuing session.

Towards the close of the year, Sir Charles Bagot's failing health induced him to request his recall. After a long and severe illness, he died on the 19th of May in the following year. 1843.

#### GOVERNMENT OF LORD METCALFE.

On the Home Ministry receiving Sir Charles Bagot's resignation, Sir Charles Metcalfe was appointed Governor-General of Canada, and arrived at Kingston on the 25th of March. Like Lord Sydenham, he had worked his way upwards by the force of his natural abilities and business tact, and not by the influence of great family connexions. In 1800 he began the world as a writer in the civil service of the East India Company, and rose step by step from this humble position, till he became, in 1834, Acting Governor-General of India, a post he filled for two years. In 1839 he became Governor of Jamaica, which he relinquished in 1842, owing to his ill health and the appearance of a cancer in his face. His partial recovery, however, induced him, soon after his return to England, to accept the government of Canada.

Little of importance occurred during the summer. It gradually drew towards its close, and nothing was as yet known of the course Sir Charles Metcalfe might ultimately pursue—whether he would support or repudiate the policy of his predecessor. On the 28th of September, he opened the Legislature with a speech, which was received very generally with favour, and responded to in courteous terms by both Houses. As the session progressed, he began gradually to develop his future policy, and exhibited a decided inclination to attach himself to the Conservative party, of whom Sir Allan

M'Nab was now the acknowledged leader. Some official appointments from the ranks of that party led to an open rupture with the ministry in November, and they accordingly tendered their resignations.

In this condition matters remained till after the termination of the session, on the 9th December; when the Governor-General, while he declared that he recognised the just power and privileges of the people to influence their rulers, and to regulate, through their representatives, the administration of government, maintained he had the right to select the executive officers of the Crown. He accordingly now received the resignations of the ministry, and sought to form a provisional, or irresponsible, Cabinet for the present. Even this he soon found to be a most difficult task, as in the present composition of the House of Assembly all the Conservative leaders were unwilling to take office. Finally, on the 13th, his Provisional Government was formed, and was composed of Messrs Viger, Daly, and Draper, the latter now a member of the Upper House. But his conduct created much political excitement, and was vigorously denounced by the Reform press, as well as by the leaders of the Reform party.

The determination having been come to, during the recent session of the Legislature, to remove the seat of government to  
1844. Montreal, that event accordingly took place after the opening of navigation. Monklands was fitted up as the residence of the Governor-General, and he removed thither in the month of June.

After considerable difficulty, a ministry, under the leadership of Mr Draper, was at length formed of a Conservative complexion, to suit Sir Charles Metcalfe, and it was determined to resort to a dissolution of Parliament, and appeal to the people for support, of which there was not the most remote chance as the Assembly were then constituted. Writs were accordingly issued for a new election on the 24th of September, and made returnable on the 10th of November following. The election resulted in the return of a small Conservative majority.

On the 28th of November, the Legislature was convened at Montreal, when Sir Allan M'Nab was chosen Speaker of the Assembly by a majority of three votes. The speech of the Governor-General was very moderate in its tone, and chiefly distinguished for its allusions to the continual improvement in the finances of the country, and in its affairs otherwise. The debate on the address was a very warm one; but the opposition, led by Mr Baldwin, were finally defeated, on a motion to amend it, by a Conservative majority of six. About this period the Governor-General was raised to the peerage,

by the title of Baron Metcalfe, in consideration of his long and meritorious services. At the same time, the course he had pursued was fully sustained by the Home Government.

The following year was chiefly distinguished by two most disastrous fires in Quebec, which took place successively on the 28th of May, and on the night of the 28th of June. Several 1845. lives were lost during these conflagrations, and the dwellings of twenty-four thousand inhabitants destroyed. Many of the sufferers were reduced to the greatest destitution. To relieve these unfortunate people, many of whom had been reduced from affluence to the most extreme poverty, £100,000 sterling were raised by subscription in Great Britain, and £35,000 collected in Canada and elsewhere. Sheds were promptly erected to shelter the houseless citizens, who gradually took courage, and before the close of summer the city again began to rise from its ashes.

The progress of this year produced no change in the Conservative character of the ministry, which still continued to conduct the government, although supported by a very feeble majority in the Assembly. Lord Metcalfe saw that his line of policy had completely failed, and now, bitterly assailed by the Reform press, very possibly did not regret that the circumstance of illness covered his retreat to England in the month of November. The cancer on his cheek had again reappeared, and of which he died shortly after his return home, universally regretted. Although his governmental policy in this country was not a successful one, his kindness of disposition and private liberality had rendered him generally respected.

#### THE GOVERNMENT OF THE EARL OF CATHCART.

On Lord Metcalfe's resignation, Lieutenant-General Earl Cathcart, commanding the forces in Canada, was appointed administrator of the government. He took no part in the disputes between the rival political parties, and whatever might be his own predilections, left them to settle their quarrels themselves. His administration was chiefly distinguished by an agitation with 1846. regard to the payment of losses caused by destruction of property in Lower Canada during the rebellion. In the preceding 1845. year, the Conservative ministry had recommended the payment of these losses, and proposed that the special fund arising from tavern and other licences should be handed over to the different county municipalities, which, as regarded Upper Canada, should be charged, in the first place, with their liquidation. The French-Canadian party in the Legislature had accordingly

supported a measure which put the question at rest in the Upper Province,\* but on condition that steps should be taken to pay *just* losses also in Lower Canada.

To this course the ministry agreed; and, accordingly, on the 24th of November, six commissioners were appointed by Lord Metcalfe to inquire into the losses sustained by her Majesty's *loyal* subjects in Lower Canada. Lord Cathcart, subsequently, on the 12th of December, renewed this commission to the same persons, who were now instructed to "classify carefully the cases of those who may have joined in the said rebellion, or who may have been aiding or abetting therein, from the cases of those who did not; stating particularly, but succinctly, the nature of the loss sustained in each case, its amount and character, and as far as possible its cause." In the course of their investigation, a difficulty arose in the minds of the commissioners as to the mode of procuring the

1846. necessary evidence. On the 27th of February, the ministry decided "they were to be guided solely by the sentences of the courts of law, and that they had no powers to call for either persons or papers." Under these circumstances it would seem, that unless parties had been legally convicted of participation in the rebellion, their innocence was to be presumed, and their losses, where any had been sustained, taken into consideration.

On the 18th of April, the report of the commissioners was made. It stated that they had recognised two thousand one hundred and seventy-six claims, amounting in the aggregate to £241,965. These claims were classified under three heads, viz., personal property, £111,127; real property, £69,961; and damages, not comprised in either of these classes, £61,876. In the last class were included £9000 for interest, £2000 for quartering troops, and £30,000 for imprisonment, temporary banishment, interruption of business, loss of goods, account-books, and so forth. The commissioners, however, were of opinion that the sum of £100,000 would be sufficient to pay all real losses. Some of the claims they deemed to be altogether inadmissible, and others again as entirely too extravagant. Their want of legal authority to investigate methodically and strictly the losses in question, had left them wholly dependent on the statements of the claimants themselves.

This report presented a very unsatisfactory basis for legislation, being altogether of too indefinite and uncertain a character. Nevertheless, the Conservative ministry, with Mr Draper for its leader,

\* This bill provided for the payment of losses in Canada to the extent of £40,000.—*Vide* Stat. 8th Vic. chap. 72.

feeling the necessity of French-Canadian support, introduced a bill into the Legislature for the payment of the rebellion losses in Lower Canada sustained by "certain loyal inhabitants of that province," and which empowered the issue of £9986 in debentures, to be chargeable against its "Marriage Licence Fund," for that purpose.

THE GOVERNMENT OF THE EARL OF ELGIN.

On the 1st of October, the Earl of Elgin, the successor of Lord Metcalfe in the government of Jamaica, as well as in that of Canada also, received the appointment of Governor-General. Like his father, who was so distinguished in the matter of the Elgin marbles, Lord Elgin was a person of high educational attainments, and a natural aptitude for public affairs. When member of Parliament for Southampton, an effective speech on the address gave promise of political success, and opened the door of office to him while in England. The death of his father, and his consequent accession to the earldom, removed him from the House of Commons. Still, a slender and embarrassed patrimony for a person of his rank rendered him desirous to obtain political employment, and the liberal salary of the Governor-Generalship of British North America led him to accept that post very readily.

Lord Elgin arrived at Montreal on the 30th of January, was met at the outside of the city by a numerous cortege headed by the mayor, and presented with the usual complimentary addresses. 1847. The violent party spirit exhibited during the municipal elections of Montreal, in February, showed him clearly the fierce social elements he had to soothe and reconcile, and the difficulties which beset the governmental task he had assumed. The Draper administration, too, narrowly watched by the Reform press, led on by the *Pilot*, now ably edited by Mr Hincks, was tottering towards its fall, and vainly endeavoured to derive support from one section or another of the opposition. About this period, also, the Reform party showed a strong disposition to ignore Lord Sydenham's settlement of the Clergy Reserves question, and to agitate for their appropriation to secular purposes.

But if the people of Canada were divided on political questions, they were unanimous on one of philanthropy—in a desire to relieve their suffering fellow-creatures. From amid the Scottish Highlands—from Ireland's Connemara and Skibbereen, and even from her more fertile districts, arose the appalling cry of famine and the prayer for succour. Canada did not shut her ear to the appeal. A "Relief Fund" was opened, and from every direction

—from old-fashioned Tories and modern Radicals, from Conservatives and Reformers, from the Iroquois Indians of Caughnawaga, and the Huron and Delaware of Western Canada, and from her coloured citizens, came contributions in money or in food.

On the 2d of June, the Legislature was convened at Montreal, and the session opened by Lord Elgin in a short, practical, and clever non-committal speech. He stated that the Imperial Government was prepared to surrender to the colonial authorities the control of the Post-office department; and that the House was now empowered by imperial statute to repeal the differential duties in favour of British manufactures. He alluded to the necessity of providing increased warehouse facilities at inland ports, to the imperial survey of the intended railroad from Quebec to Halifax; to the proposed alteration with respect to the British copyright question; and to the measures which had been adopted to provide for the large immigration expected to take place to this country.

The immigration thus alluded to had already commenced, and was throwing a large number of destitute persons upon the charity of the citizens and the humanity of the authorities. Army after army of sick and suffering people, fleeing from famine in their native land to be stricken down by death in the valley of the St Lawrence, stopped in rapid succession at Gross Isle, and there leaving numbers of their dead behind, pushed upwards towards the lakes in overcrowded steamers, to burthen the inhabitants of the western towns and villages. Up to the 7th of August, seventy thousand immigrants had landed at Quebec.

The session of the Legislature terminated on the 28th of July, after the transaction of a large amount of business, one hundred and ten acts having been passed. The ministry still continued to hold office, though defeated on some important measures; and it was evident they could scarcely hope to carry on the government much longer. The leaders of the Reformers saw clearly they would hardly dare to meet another session of the Legislature, with a "no confidence vote" staring them in the face, and warned their party to be ready for a new election, now evidently near at hand. Reform conventions were accordingly held in every direction, candidates decided upon, newspapers started in their interest, and every measure taken necessary to success.

In this active state of preparation did the Reform party meet the dissolution of Parliament on the 6th of December. The  
1848. writs for the election were made returnable on the 24th of the following January. From the general tone of the public mind,

it was confidently expected by Reformers that the Conservative ministry had exhausted its popularity, and would scarcely be sustained at the polls. The result justified this expectation. The Conservative party was so completely defeated, that it was evident the Reformers were in for a long continuance of place and power. All their principal leaders were returned: Hincks for Oxford, Baldwin for the Fourth Riding of York, Price and Blake for the first and second Ridings, and Malcolm Cameron for Kent. Wolfred Nelson was returned for the County of Richelieu, the scene of his exploits during the rebellion; and Papineau, who had meanwhile with Rolph and other pardoned refugees come back to Canada, was chosen as their representative by the habitants of St Maurice. Papineau had better have remained in privacy. He soon found that he had outlived his once great popularity, and was bearded even as a coward by his former associate in rebellion, Wolfred Nelson, infinitely the better man of the two; and who had lived sufficiently long to regret his folly, and to honour the same Victoria against whose troops he so stoutly contended at St Denis.

Parliament was convened on the 25th of February, and Mr Morin, a Lower Canadian, was chosen Speaker by the Assembly, on the motion of Mr Baldwin, seconded by Mr Lafontaine who had effectually supplanted Papineau in the consideration of the French population. The speech of the Governor-General was again of a brief and non-committal character.

Immediately on the opening of Parliament, the old ministry, whose principal member, Mr Draper, had meanwhile been elevated to the Bench, resigned, and the task of forming a new one was intrusted by Lord Elgin to Messrs Baldwin and Lafontaine, who found little difficulty in accomplishing it. Mr Hincks again became Inspector-General, Mr Cameron was selected to fill the post of Assistant-Commissioner for Public Works, and Mr Blake, afterwards Chancellor, became Solicitor-General of Canada West. The entire cabinet was composed of eight members of British origin and four of French. The latter were Messrs Lafontaine, Caron, Viger, and Tache. Thus calmly and constitutionally, under the principle of responsible government, was formed one of the most able cabinets which has ever directed Canadian affairs. After a short session the House was prorogued on the 23d of March.

While Canada was thus peacefully and prosperously pursuing her onward and upward destiny, the continent of Europe was agitated by revolution. Louis Philip was driven from France into exile; while a rebellion broke out in Ireland under the leadership of Smith

O'Brien, John Mitchell, and others of the "Young Ireland party," to be ingloriously suppressed by forty policemen at Ballingary. In watching the course of these stirring events, party feeling in Canada was forgotten for the moment. Towards the close of the year, however, the repeal of the Imperial Navigation Laws created some discussion and public excitement.

Parliament was again convened on the 18th of January. The opening speech of the Governor-General alluded to the tranquil  
1849. condition of the country, the speedy completion of the St Lawrence Canals, and the transfer of the Post-office department to the provincial authorities, as soon as the preliminary arrangements should be completed.

Up to this session of the Legislature, no action had been taken by the new ministry with regard to the report of the commissioners appointed to inquire into the losses sustained in Lower Canada during the rebellion. Resolutions were now introduced by Mr Lafontaine, on which to base a bill for the payment of these losses, which were passed with some amendments. The bill itself was subsequently brought in, and on a motion for its second reading on the 13th of February, a stormy debate ensued. It was contended by the opposition, that parties implicated in the rebellion must receive payment for losses under its provisions; and that it was unjust to charge this payment on the consolidated fund of the country, thus making Upper Canada liable for its proportion. On the other hand, it was urged, that it was not the intention to pay one shilling to parties concerned in the rebellion, but only to reimburse those whose properties had been wantonly destroyed; that the present ministry were merely carrying out the views of their Conservative predecessors in office; and that, as the payment of the Upper Canada losses had been drawn from licences forming part of the consolidated fund, it was no injustice to make that fund also liable for the same purpose in the sister province.

However correct these representations may have been, they had little effect in allaying the excitement, which rapidly spread from Montreal westward. Meetings were held in every direction, at which ministers and their adherents were denounced in unsparing terms. "No pay to rebels" became the watchword of the Conservative, and of a portion of the Reform party, and the old antagonism of races burst out with extraordinary virulence. To escape from French domination, as it was termed, the more violent Tory members of the Conservative party declared they were prepared to go to any lengths—even to annexation with the United States, a



measure which in the passionate excitement of the moment was openly advocated. Thus parties who had long made boast of their loyalty to the British Crown—of their hatred of republican licence and extreme democracy, were now seen supporting the same treasonable measures precisely for which so many in 1838 had perished on the scaffold. It was a rash procedure, and forms a mortifying epoch in the history of Canadian parties. When the excitement died away, and reason and reflection again resumed their sway, this annexation position was abandoned; but not, however, till the Reform party had retorted the accusation of treason and disloyalty on their political foes.

But, fierce as the storm was, the ministry, sustained by a majority of both Houses, determined to face it and put the matter finally at rest. The passage of the bill was the condition of support from French members to Upper Canada reformers; and if it were abandoned, aside from the moral cowardice this course would involve, that support could not be any longer looked for, and the loss of office must consequently follow. The bill was accordingly pushed through its several stages, and finally carried in the Lower House by forty-eight votes to thirty-two, and likewise passed the Legislative Council.

The preamble of this bill recited the different measures already taken by the Legislature, during preceding sessions, to pay the losses in question, and authorised the issue of debentures chargeable on the consolidated fund, to the amount of £100,000, for their final liquidation. Alluding to the loose and unsatisfactory report of the commissioners, the preamble further declared, “It is necessary and just that the particulars of such losses, not yet paid and satisfied, should form the subject of more *minute inquiry under legislative authority*, and that the same, so far only as they may have arisen from the total or partial, unjust, unnecessary, or wanton destruction of the dwellings, buildings, property, and effects of the said inhabitants, and from the seizure, taking, or carrying away of their property and effects, should be paid and satisfied, provided that *none* of the persons who have been *convicted of high treason*, alleged to have been committed in that part of this province formerly the province of Lower Canada, since the first day of November 1837, or who, having been *charged with high treason or other offences* of a treasonable nature, and having been *committed to the custody of the sheriff in the jail of Montreal, submitted themselves to the will and pleasure of her Majesty*, and were thereupon transported to her Majesty’s Island of Bermuda, shall be entitled to an indemnity for

losses sustained during or after the said rebellion, or in consequence thereof."

The passage of the bill was the signal for rioting and confusion through the upper province. In Toronto, scenes of this description were coupled, by some of the city authorities,\* with the recent return of Mackenzie to Canada, and excused on that ground. Baldwin, Blake, and Mackenzie were burned in effigy, and the windows of the house in which the latter was stopping were broken by an infuriated mob. The dwellings of Dr Rolph and Mr Brown, (editor of the *Globe* newspaper.) were also damaged.

The belief that Lord Elgin would either refuse his assent to this bill altogether, or reserve it for the consideration of the Home Government, which would no doubt have been the wisest course, as the public mind would have time to cool in the interval, tended considerably to allay the popular excitement. In this respect, however, those who inveighed against the measure were completely disappointed. Navigation had opened very early, and it was deemed advisable that the royal assent should be given at once to a customs bill, finally passed on the 26th of April. Lord Elgin accordingly proceeded to the Parliament House, formerly St Ann's market, on that day, escorted by some cavalry, and gave his assent to the bill in question, and also to the Rebellion Losses Bill at the same time.

Intelligence of this procedure was speedily circulated, and as Lord Elgin left the House, he was received by a crowd with hootings and groans, while a knot of well-dressed individuals pelted his carriage with the missiles next to hand. Notwithstanding all this outside excitement, the Assembly still continued in session, the majority supposing that no violence would be offered to themselves. But Sir Allan M'Nab held a different opinion, declared a riot might be looked for, and stated that it was advisable to call for military assistance.

Matters remained in this state till evening, no measures having been taken in the meanwhile to suppress a riot, presuming it should occur, owing to the imprudent confidence of Government. Towards eight o'clock the fire-bells were rung to create an excitement, and a large number of persons speedily assembled at the Champ de Mars, where several inflammatory speeches were made. Presently a cry was suddenly raised : "To the Parliament House !" Thither the crowd immediately proceeded in a state of great excitement, and encountering neither police nor military to check their progress, their loud

\* See Proceedings of Toronto City Council, 28th March 1849.

shouts and yells gave the first information to members, now discussing the judicature bill for Lower Canada, of the commencement of what was evidently a formidable riot. A few moments more, and a shower of stones dashed in at the windows, when the strangers' gallery was immediately deserted. Some of the members made their escape by this gallery, while others took refuge behind the Speaker's chair.

Meanwhile, stones continued to be thrown, till nearly all the windows were broken. Presently, this mode of attack was discontinued, and the mob began to force their way into the building. A few soon after made their appearance armed with sticks in the hall of Assembly, at the opposite end of which the remaining members and clerks now disappeared as rapidly as possible. One of the rioters then seated himself in the Speaker's chair, and waving his hand said, "I dissolve this House." The work of destruction was then rapidly proceeded with. Benches were pulled to pieces, and piled in the middle of the floor with papers from the members' desks. Chandeliers and globe-lights were next broken, and the Speaker's mace seized and carried off, despite the exertions of the sergeant-at-arms, who had the courage to remain.

Messrs Robinson and Gugs did their best to expel the rioters; and Sir Allan M'Nab employed himself in saving the Queen's picture, painted by Partridge, and for which £500 had been paid. Presently, the cry was raised "that the Parliament House was on fire!" and a lurid glare from the basement story bore painful truth to its correctness. Several gentlemen now exerted themselves to save some of the valuable books in the library of the Assembly; but the flames spread so rapidly that they were soon compelled to seek safety in flight. Some of them, however, remained so long in the burning building, that they were injured by the fire, and had to be rescued with ladders.

The military, who had at length been sent for, were available in keeping back the dense crowd; but nothing could be done to arrest the conflagration, or save the valuable libraries and public records, the destruction of which inflicted a lasting disgrace and irreparable injury on the country. The Paris mobs, in the midst of revolution and anarchy, respected public buildings, the libraries, and works of art; and it remained for the vandalism of Montreal rioters to inflict a public injury on themselves, of a character adopted by the Saracens and Huns, and other barbarians of the middle ages, to punish their enemies. Some fire-engines made a useless attempt to suppress the flames, which speedily illuminated the whole city, and

threw out dense volumes of smoke, borne by the breeze towards the dark mountain, dimly visible in the background of the magnificent though painful spectacle. When the morning sun arose, the fire-charred and still smoking ruins of the Parliament House were all that remained of a vast amount of public property, equal in value, it was estimated, to the sum about to be expended under the Rebellion Losses Bill.

Having thus wreaked their vengeance in this quarter, a part of the mob conveyed the mace to Donegani's hotel, where it was finally deposited, after some quarrelling among themselves, in the room occupied by Sir Allan M'Nab. The *Pilot* office, where the ministerial paper was printed, was also visited by the mob, and the windows demolished, when the work of destruction terminated for the night.

Next day, the Commander-in-Chief, Sir Benjamin D'Urban, came into the city from his country-seat, and made arrangements for the suppression of further riot. Several arrests were made of parties accused of inciting the mob to violence. The latter threatened to rescue them, and insulted and beat several Reform members, who were so unfortunate as to come in their way. The mob next beset the old Government House, where the members of the ministry had assembled in council, but were forced back by the bayonets of the military.

After nightfall the mob received large accessions to their number, and presently a numerous body moved towards the St Antoine suburb, where they completely wrecked the dwelling of the Premier, Mr Lafontaine, and burned down his stables. The windows of Messrs Baldwin's and Cameron's boarding-houses were next broken. Dr Wolfred Nelson's house shared the same fate, as well as the houses of Messrs Hincks, Holmes, and Charles Wilson. Objections being made next day to the military doing police duty, a body of French and Irish constables were sworn in, and the rumour that these were being armed and drilled at the Bonsecours Market, threatened for a while to produce a fresh riot.

The arrival of a deputation from Quebec (the inhabitants of which had a keen eye to the removal of the seat of Government to their own city) to offer protection to the Governor-General, renewed the excitement, and loud threats were made of violence to its members. But during the day they prudently remained in the French suburb, and entered the city in the evening without exciting observation. The loyal inhabitants of Montreal now held a public meeting, and circulated an address, signed by two hundred respectable names,

inviting the citizens to co-operate in the preservation of peace and order, which had a tranquillising effect.

But a new source of public uneasiness speedily arose. During the 28th, the Assembly had agreed upon an address to the Governor-General in connexion with the recent riots, and it was arranged that he should receive it at the Government House, instead of at Moncklands. Escorted by a troop of volunteer dragoons, and accompanied by several of his suite, Lord Elgin, accordingly, drove into the city on the 30th. He was greeted with showers of stones in the Haymarket, and in Great St James and Notre Dame Streets, and with difficulty preserved his face from being injured. When he entered the Government House, he took a two pound stone with him, which he had picked up in his carriage, as evidence of the most unusual and sorrowful treatment her Majesty's representative had received. Captain Weatheral, a magistrate, read the Riot Act, and ordered the infantry on guard to charge. But the crowd had no ill feeling towards the military, and cheered them as they ran out of their way. They waited patiently, expecting the re-appearance of the Governor-General, in order to renew their assault upon him. But instead of turning round up Notre Dame Street, he doubled on the mob, and passed rapidly along in the direction of Sherbrooke Street. Cabs, caleches, and everything that would run, were at once launched in pursuit, and crossing his route, the Governor-General's carriage was bitterly assailed in the main street of the St Lawrence suburbs. The good and rapid driving of his postillions, enabled him to clear the desperate mob, but not until the head of his brother, Colonel Bruce, had been cut, injuries inflicted on the chief of police, Colonel Ermatinger, and on Captain Jones, commanding the escort, and every panel of the carriage driven in. It was the old war of races putting itself into a new shape, and British feeling was now venting its indignation in this riotous fashion for the imaginary triumph of the rebellious foe that had been so thoroughly crushed eleven years before. Nor did the excitement terminate with the assault on the Governor-General. A deputation from Toronto was made the occasion of a ministerial dinner, at Tetu's hotel, when the cheering of toasts was met by groans from the mob outside. Presently, missiles were thrown, pistol shots fired, men wounded, and the arrival of a strong body of military alone prevented a serious loss of life. Next day, Lafontaine's house was again attacked, but this time a volley of musketry compelled the mob to retreat; not, however, till one man had been killed. At the inquest, an attempt was made to fire the hotel where it was being held, and to do violence to Mr Lafontaine

during the confusion, but he was saved by a party of the 71st Highlanders.

The riots, which had so rapidly followed in succession, and the insecurity of life and property at Montreal, induced the Legislature to determine on the removal of the seat of Government to Toronto for the next two years, and for the subsequent four years to Quebec. Thus, Montreal was most deservedly punished for the insane folly of its mob, instigated by a portion of its press; and at present there is very little prospect of a Canadian Parliament ever again being convened in a city which, from its natural advantages, should be the capital of the State. The remainder of the session was held in a building temporarily fitted up for the purpose, and on the 30th of May a most eventful sitting, during which a large number of measures were passed, was closed by the Deputy-Governor, Lieutenant-General Rowan.

The disgraceful riots in Montreal, and the personal insults to which he had been subjected, led Lord Elgin to tender his resignation to the Home Government. But the Queen and her ministers promptly expressed their entire approval of his conduct, and urgently requested his retention of the position he filled.\* Their course in this respect was approved and ratified by the Lords and Commons of Great Britain, and by whom the Rebellion Losses Bill was sustained. Sir Robert Peel's ministry, also, subsequently signified their approbation of his conduct, and continued Lord Elgin as Governor-General, and who received additional consolation in his most trying position from the large number of sympathetic addresses which were presented to him.

The action of the British ministry and Parliament placed those who opposed the Rebellion Losses Bill completely at fault, and immensely strengthened the hands of the Reform party. The feeble cry for annexation, speedily raised, had the same tendency. In these occurrences the Conservative party of this country received a blow, both in Canada and in England, from which, up to the present time,† it has not recovered. But under a constitutional form of government one party cannot retain power for a very lengthened period; and some public question may yet possibly restore its forfeited popularity, and place it again in the ascendant.

The occurrences connected with the Rebellion Losses Bill were the great Canadian events of 1849. Parliament did not again

\* See Despatch from Secretary of the Colonies, 18th May 1849.

† Written in 1855. For several years since, the Conservative party has been in power, and the Union Act of 1867 has fully restored its prestige.

assemble during the year, and towards its close the country was rapidly recovering from the injurious results of the violent political ordeal it had undergone. Much bitter feeling it is true remained. Magistrates were dismissed for undue opposition to Government, some rioting occurred at public meetings got up to vote addresses to Lord Elgin, and a Conservative League was organised to give a systematic opposition to ministers. Yet, as the new year approached, time was gently laying its Lethean finger on political asperities, and the sound common sense of the Canadian people, so practical in their disposition, was gradually reconciling them to the new epoch which had evidently opened on their country.

## CHAPTER XXIV.

THE GOVERNMENT OF THE EARL OF ELGIN,—*continued.*

THE final step having been taken for the settlement of the long quarrel of races, in passing the "Indemnity Bill," the ministry applied themselves to develop the resources of the country. An agent was despatched to Washington to "press Reciprocity," or 1850. the free interchange of agricultural and other products between Canada and the United States, on the notice of the American authorities, and measures were also taken to establish our credit on a broader basis in the London Stock Exchange. Mr Hincks's exertions in the latter direction met with considerable success, and Canadian securities began to be quoted in the English market. The Montreal riots as yet, however, prevented the extensive investment of foreign capital in these securities.

The Legislature assembled at Toronto on the 14th of May. The opening speech presented no very remarkable features; exciting political topics were wisely avoided, and a prudent desire to let the past be forgotten was apparent. During the progress of the session, Mr Papineau again renewed his advocacy of an elective Legislative Council; while a disposition was shown by members to succumb to the cry of retrenchment in the public expenditure, now raised outside of the House. The agitation on the Clergy Reserves question was again revived, and a strong inclination shown to set Lord Sydenham's settlement of the matter aside, and to devote the Reserves to secular purposes. Mr Lafontaine, Mr Baldwin, and others of the older Reformers, opposed the revival of this agitation, and maintained that things ought to be left as they were. But the press of their party, led on by the *Globe*, the *Examiner*, and other able journals, persisted in their discussion of the question. This state of things speedily produced a split among Reformers, and a new party arose into influence, which had already been denominated, in



American party phraseology, "Clear Grits," who declared themselves to be the unadulterated political commodity.

Still, although the Reformers had quarrelled among themselves, ministers were sufficiently supported to enable them to hold the reins of power firmly in their hands during the session, which after much useful legislation terminated on the 10th of August. The remainder of the year was not distinguished by any important local events. The question of a Federal Union of all the British North American Provinces was revived by the Conservatives; and as January approached, the prospect of an approaching general election began to create some excitement. Among the candidates already in the field was William Lyon Mackenzie, whose residence in the United States had cured him of a great many republican notions, and fully reconciled him to the sway of Queen Victoria, touching which he was whilom so indignant, and to the lesser political evils of constitutional monarchy.

The earlier part of the ensuing year was chiefly distinguished by the efforts of the Roman Catholic population to procure separate common schools, under a recent statute, wherever 1851. their numbers were sufficiently large to warrant such a procedure. A very general movement was also taking place in favour of the construction of railways in various parts of the sister provinces. Hitherto, Canada had been too young a country to provide these costly modes of locomotion. Her noble canals and vast water frontage had also rendered them to a great extent unnecessary; but the great increase in the inland population within the preceding few years, and the difficulty of conveying farm produce and lumber to the navigable rivers and the lakes, now rendered railways necessary to develop the resources of the interior. The Post-office had at length been transferred to the Colonial Government, and great improvements had been made in that department. Letter rates had been reduced, and a single, or half-ounce, letter was now conveyed to any part of Canada for threepence currency. In the spring, prepayment letter stamps were issued, as in England and the United States. Thus, the country was steadily progressing, and from the numerous improvements observable in every direction, it was evident that the Canadas were rapidly recovering from the effects of partial rebellion and violent political agitation; and that a long vista of national prosperity was now indeed gradually opening on the view.

Parliament assembled on the 20th of May. The occurrences of the session showed that the "Clear Grit" agitation was beginning

to tell upon the House, and that, to satisfy it, more radical changes must be made. Mr Baldwin fell the first victim to this state of things. Outvoted on a measure connected with the Court of Chancery by the Reform members of the Upper Province, he resigned his seat in the Cabinet as Attorney-General for Canada West. The Clergy Reserves question still continued to be the cause of much discussion and ill-feeling. As the session progressed, the project of a Grand Trunk Railway was fully developed, by Mr Hincks, in a series of resolutions.

The fourth session of the third Parliament of United Canada terminated on the 30th of August. Lord Elgin's speech, when he prorogued the House, reflected the general condition of the country. He alluded to the grants which had been made for the erection of lighthouses, improvements in the navigation of the St Lawrence, reduction of the immigrant tax, and the favourable state of the revenue which had permitted the adoption of these and other measures of a kindred nature. He congratulated both branches of the Legislature on the steps they had taken for fostering railway enterprise, on the creditable appearance of Canadian industrial productions at the London Crystal Palace Exhibition, on the harmony which had characterised their own proceedings, and on the removal of prejudices and misgivings engendered by years of disquiet. At the same time, he declared his own determination to continue to administer the government in conformity with the wishes of the people, as expressed through their representatives.

The increased prosperity of Canada was now attracting a large measure of attention from other countries, and several of which evinced their desire to add to the volume of their commerce up the St Lawrence. With the United States a large international traffic had sprung up; and Canadian imports and exports, passing in bond over the New York and New England railways, formed an important item of their business. This close community of interests led to the interchange of mutual national civilities. In the month of September, Boston distinguished itself by giving a grand fête to many of the principal Canadian merchants and public men, at which Lord Elgin was present, and made a most happy speech tending to augment the mutual good feeling engendered by the occasion, as well as by the more enduring bond of identity of interests. But these occurrences, however satisfactory in themselves, did not diminish the dissensions within the Reform party. In October, the Clear Grit element in politics pressed so embarrassingly on the ministerial leaders of that party, that it led to the reconstruction of the Cabinet, into which

the whilom rebel refugee, Dr Rolph, and Malcolm Cameron, were now received as the leading exponents of the new political faith. Into the hands of Mr Hincks, as the most able member of the ministry, these changes threw a large amount of additional influence. He now became Premier, and speedily developed a financial policy, which subsequently shaped, in an eminent degree, the fiscal relations of this country. The reconstruction of the Cabinet was immediately followed by a general election, which introduced many new men into public life, while several of their old servants were rejected by the electors. Among the latter was Robert Baldwin, who was now most ungratefully discarded by the Fourth Riding of York, for a Mr Hartman. William Lyon Mackenzie, who had returned to Canada in the preceding year, again re-entered public life, and was elected for the county of Haldimand, although his principal opponent was Mr George Brown, of the *Toronto Globe*. The elections resulted in the return of a Reform majority in United Canada ; but in the upper province parties were almost equally balanced.

The lapse of time had gradually assuaged the bitter asperities engendered by events which arose out of the rebellion, and the public mind now exhibited a desire to turn aside from 1852. exciting political topics, and apply itself instead to questions of social and physical progress. Hitherto, Canada had lagged far behind the United States in many respects ; and English and other tourists not infrequently made most unfavourable comments on the backward condition of public improvements in this country. But a visible change for the better was now rapidly taking place. An act favourable to the formation of joint-stock companies had already given a great impetus to the construction of plank and macadamised roads, and in many other ways the industrial resources of the country were now being developed. The cause of education, as regarded the masses, had also been materially advanced by improvements in the common-school law, and the introduction of a uniform system of text-books ; while an excellent normal school at Toronto afforded the requisite facilities for the training of competent teachers for Upper Canada. The public mind of the country was evidently becoming eminently utilitarian, and readily applied itself to the development of railway projects of various kinds, as well as to the consideration of the best methods to promote more intimate reciprocal commercial relations with the United States. In the earlier part of the year, Mr Hincks had gone to England to push forward the scheme of a Grand Trunk Railway, and the precise location of which continued to be a source of the most fruitful

contention, owing to conflicting interests. From the discussion of these matters, the public, in the month of July, turned aside to regard the catastrophe of a terrible fire in Montreal, which laid a large part of that city waste, and rendered ten thousand people homeless. Great exertions were made to relieve the sufferers.

The seat of government had now been removed to Quebec; and there, accordingly, the new Parliament assembled on the 16th of August, and chose Mr John Sandfield Macdonald as Speaker of the Lower House. The Governor-General's opening speech alluded to the necessity of a change in the seigniorial tenure system, the expediency of having a line of steamers to sail from Canada to England, the advisability of an alteration in the currency, so as to permit of accounts being kept in dollars and cents, and the propriety of increasing the parliamentary representation,—measures which were all subsequently adopted.

During the session, Mr Hincks introduced a series of resolutions relative to the settlement of the Clergy Reserves question, which passed; and declared, at the same time, that he felt confident the Home Government would shortly bring a bill into the Imperial Parliament, permitting the Canadian Legislature to dispose finally of a matter which had been such a source of prolonged agitation. The House, also, unanimously agreed to an address, requesting the imperial authorities to make no concession to the American Government in the matter of the fishery dispute, unless in connexion with the concession of reciprocity. Mr Hincks exhibited a desire to retaliate on the United States for not conceding more intimate commercial relations, by adopting differential duties in favour of British commerce, and by shutting the Canadian canals to American shipping. The public voice, however, was at once raised against a narrow and suicidal policy of this kind, and the ministry had to abandon it altogether. But the great feature of this session was its large amount of railway legislation, and which placed no less than fifteen bills on the statute-book. Among these, the act relating to the incorporation of the Grand Trunk Railway was the most important. By its twenty-eighth section, the bonds of this company received the provincial guarantee to the extent of £3000 sterling per mile. The same section further set forth, that for every £100,000 actually expended on this railway by the company, £40,000 should be guaranteed by the province. By this act, a sum exceeding \$16,000,000 was in a few years added to the permanent liabilities of the country; and in 1866, the total debt of the Grand Trunk Railway to the Government, principal and interest,

had swelled to the enormous sum of \$23,000,000, of which there is no likelihood that any portion will ever be repaid.

But the inception of the Grand Trunk and other railway projects was not sufficient to satisfy the speculative mind of Mr Hincks. In this session, also, was passed an act to establish a Consolidated Municipal Loan Fund for Upper Canada. This fund was to be under the management of the Provincial Government, and designed to enable municipalities to borrow money on the credit of the province for the construction of railways, macadamised roads, bridges, and other public works. Availing themselves of the provisions of this act, several municipalities rashly incurred liabilities which they were utterly unable to meet, and much unwise speculation was indulged in. Subsequently, in 1854, it was found necessary to amend this act, to extend its provisions to Lower Canada, and to limit the "fund" to £1,500,000 sterling for each province. The full amount of the loan was soon absorbed by Upper Canada, but the lower province acted much more prudently. Yet the entire public debt contracted in this way speedily reached the sum of about \$9,500,000; and as most of the borrowing municipalities were utterly unable to pay the interest, the greater portion of it had to be met from the public exchequer, while Parliament was subsequently obliged to pass measures for their relief. Most of the works constructed were, however, of great benefit to the community, and aided in no small degree to develop its resources.

It will thus be seen that the legislation of the session of 1852 laid the foundation of a large addition to the liabilities of this country, and paved the way for the annual deficit which subsequently existed in the provincial revenue for so many years. At the close of 1852 the whole debt of Canada, direct and indirect, was \$22,355,413; the nett revenue for the year amounted to \$3,976,706; while the expenditure was only \$3,059,081. This prosperous state of the finances placed the credit of the country on the soundest basis; and Canadian Government securities, bearing six per cent. interest, were now quoted at a premium of sixteen per cent. in the English money market.

This satisfactory condition of financial affairs very naturally led, at this juncture, to much unwise speculation, and to a rage for railway improvements beyond the immediate necessities or monetary ability of the country. Nor was the ample railway legislation of the Parliamentary Session of 1852 deemed sufficient to meet the wants of the public in that direction. On the 10th of November, after a session of nearly three months' duration, the Legislature adjourned

until the 14th of the following February ; and on this occasion no less than one hundred and ninety-three bills were duly as-  
1853. sented to by the Crown. Twenty-eight of these bills had reference to railway matters, and reflected the mania which had now seized possession so completely of the public mind. But, aside from legislation of this stamp, a large number of useful measures were passed, giving evidence of the energy and industry of the ministry, and the desire of both Houses to further beneficial legislation. The Parliamentary Representation Act increased the members of the Assembly from eighty-four to one hundred and thirty, sixty-five for each province, and more equally re-distributed the different constituencies. Montreal and Quebec were now to return three members each, and Toronto two ; while some of the smaller towns in Upper Canada had adjoining townships attached to them, for the purpose of parliamentary representation. This act was not to take effect, however, until the termination of the existing Parliament. The statute-book of this session also contains a new municipal act, a school act, an act to regulate the practice of the superior courts of common law, and several other measures of an elaborate character, which necessitated the greatest care in their preparation,—matters all alluded to by Lord Elgin when he closed the Legislature, on the 14th of June, in a brief yet pertinent speech.

Meanwhile, the Home Government had procured the passage of a short bill in the Imperial Parliament, conceding to the Canadian Legislature the power to alter the appropriation of the Clergy Reserves, and to make such provision with regard to their future proceeds, as might be deemed advisable. But existing interests, in connexion with these reserves, were not to be interfered with ; and the annual stipends paid to the clergy of the Churches of England and Scotland, and of other creeds, were to be continued during the lives of the incumbents. This bill received the assent of the Queen on the 9th of May, was at once forwarded to the Canadian Government ; and there was nothing now to prevent the settlement of a question, hitherto so productive of bitter and persistent agitation in Upper Canada.

While the Canadian Legislature was still in session, no small excitement was caused at Quebec by the lectures of Father Gavazzi, an Italian priest, who had become a convert to Protestantism. On the 6th of June, the Free Presbyterian Church, where he was lecturing, was assailed by a riotous mob, the audience dispersed, and several of them seriously injured, while Gavazzi made his escape with no small difficulty. The rioters subsequently proceeded in search of

Mr George Brown, the member for Kent, and who was at this time regarded as the advocate of extreme Protestant views in the Assembly, with the object of wreaking their vengeance on him also, but fortunately were unable to find him. On the following day, this riot led to an informal discussion in the Lower House, but which was ruled out of order by the Speaker when Mr Brown arose to address it. Gavazzi at once proceeded to Montreal, and where his lectures were the cause of renewed and more extensive rioting, which eventually terminated in a deplorable loss of life. On the 9th, while speaking in the Zion Congregational Church, an immense mob, chiefly composed of the lower orders of the Irish city population, assailed the building, despite the presence in its vicinity of a strong force of police and military. Stones were thrown, and some pistol shots fired by the rioters, as well as by parties inside the church at those outside, and the greatest confusion prevailed. The congregation at once dispersed, and while peaceably proceeding homewards as best they could, were fired into by the military, acting under the orders of Mr Charles Wilson, the mayor of the city, who appears to have wholly lost his presence of mind on this unfortunate occasion. Some five persons were killed outright, and many wounded, but the correct number of the latter was never ascertained. The respectable citizens of Montreal were greatly shocked by this lamentable occurrence, and which also produced the deepest feeling and excitement throughout the whole country. As Mr Wilson was a Roman Catholic, and the Government did not proceed rigorously into the inquiry touching his conduct, the Protestant population became greatly indignant, and denounced the Hincks administration in the most unsparing terms. These circumstances added very materially to the rising popularity of Mr Brown, and strengthened his hands, in no small degree, in the active opposition he had already commenced, in conjunction with William Lyon Mackenzie, against the ministry.

Although the Cabinet had tided safely through the recent session of Parliament, with good majorities on all its measures, it was now quite evident that Mr Brown's influence was steadily on the increase with the Reform party of Upper Canada, and that his opposition must sooner or later be of a very embarrassing character. With the exception of Mr Hincks, the ministry was composed of very average men, and was, accordingly, weakened by the elevation in July of Attorney-General Richards to the judgeship, which had become vacant by the death of Mr Sullivan. The Solicitor-General, West, John Ross, now became Attorney-General, while Joseph C. Morrison

succeeded Mr Ross. Rumours that the ministry would not take immediate steps to secularise the Clergy Reserves, which received additional colour from remarks of the Postmaster-General, Malcolm Cameron, at a public dinner in the town of Perth, and from letters written by Mr Hincks and Dr Rolph, to some of their leading Reform friends, tended also to seriously damage it with the public. Towards the close of the year it fell still further in general estimation, by charges of corruption, and of using his exalted position for his personal profit, which were brought against Mr Hincks. A suit in the Court of Chancery, in which Mr Bowes, the Mayor of Toronto, was the defendant, developed the fact that he and Mr Hincks had purchased £50,000 worth of the debentures of that city, at a discount of twenty per cent., and that the Premier had a bill subsequently passed in Parliament, which raised the value of these securities to par. Other charges of improper conduct, in connexion with the purchase of some public lands at Point Levi, opposite Quebec, and elsewhere, and designed to be re-sold to railway corporations, were also made against Mr Hincks and other members of the Government, and had an additional damaging effect on its reputation. We may here state, that in 1855 a parliamentary committee was appointed to inquire into the truth of these charges, and which exposed a condition of things not at all flattering to the morality of the Hincks administration, and further developed the corrupting tendency of railway speculations.

Meanwhile Lord Elgin and Mr Hincks had proceeded to England, to take part in the negotiations now pending relative to the Reciprocity Treaty with the United States' Government, and for other purposes connected with Canada. They were well received by the Home Government, and met with great success as regarded the furtherance of reciprocity, a matter now regarded with deep interest by the people of Canada, as well as by the leading merchants of the American sea and lake coast cities, and who must largely benefit by a liberal system of international traffic. All preliminary matters having been disposed of, Lord Elgin, as the special envoy of the Imperial Government, proceeded to Washington, and where, after long and protracted negotiations with the United States' administration, the final details of reciprocity were concluded, and the treaty signed, on the 5th of June. Its ratifications were speedily exchanged, and the action of the several Legislatures concerned was now alone necessary to give it practical effect. It was to continue ten years from the date of its going into operation, at the end of which term it could be



terminated, on either of the parties thereto giving twelve months' notice to that effect. This treaty provided for the free admission from the British North-American colonies into the United States, and *vice versa*, of the products of the farm, the forest, and the mine; opened the in-shore sea fisheries of the Anglo-American waters to the fishermen of New England; and conceded the free navigation of the River St Lawrence and the Canadian canals to United States' shipping, while the British craft acquired, on the other hand, the right to sail through Lake Michigan. It came into active operation in March 1855, and gave a vast impulse to the commerce and prosperity of all the North American colonies; but Canada was immeasurably the largest gainer by its provisions.

Under ordinary circumstances, Canadian Parliaments have usually been summoned to meet in the latter part of winter. It is the season, in this country, of greatest leisure, and when long speeches and late hours may be most easily indulged in. But the desire to let the public mind cool down, after the excitement produced by the recent charges against them, and the hope that it would be fully soothed by the satisfactory termination of the Reciprocity question, induced ministers to defer the assembling of Parliament until the treaty had been first completed. The 13th of June was at length fixed upon as the day when it should meet for the despatch of business. It was duly opened by the Governor-General in a brief speech, in which he alluded to the recent destruction of the old parliament buildings by fire, to the war with Russia, to the conclusion of the Reciprocity Treaty, and to the necessity of bringing an act passed at the previous session, for the extension of the elective franchise, into early operation. To the Legislative Assembly he talked about the prosperous condition of the revenue, and the consequent propriety of making a reduction in the customs tariff, and sought to propitiate that body by speaking of the proofs he had received in England of the great interest taken there in the affairs of Canada, and of its high standing in point of public credit. But there was nothing in his Excellency's speech about the settlement of the Seigniorial Tenure question, now eagerly desired by Lower Canadians, nor the final disposition of the Clergy Reserves, so anxiously looked for by the people of Upper Canada. Deep, therefore, were the murmurs of dissatisfaction from all sides of the House; and the Conservative party, now led by Sir Allan M'Nab and John A. Macdonald, drew closer its ranks, and eagerly watched for an opportunity to defeat the ministry on the address in response to his Excellency's speech. That opportunity speedily

came. Cauchon, a French-Canadian, moved an amendment to the address, censuring ministers for not intending to bring in a bill for the immediate settlement of the Seigniorial Tenure question. To this, after a most acrimonious debate, extending over several days, Sicotte tacked another amendment relative to the disposal of the Clergy Reserves, which was accepted by Cauchon, and, on the 21st, ministers were beaten by a majority of thirteen, in a House of seventy-one members. On the following day, at three o'clock, the Governor-General went down in state to the Chamber of the Legislative Council, and, summoning the Assembly to his presence, abruptly prorogued Parliament, although not a single bill had been passed, with a view as he stated to its immediate dissolution. The opposition were astonished in no small degree at this procedure, at once so unusual and so arbitrary. At the eleventh hour, Sir Allan M'Nab, on behalf of the Conservatives, had offered to return a respectful answer to the address; but it was evidently part of Mr Hincks' policy to force an adverse vote, with a view to a dissolution, and his vantage-ground once taken, he declined to recede from it. The proclamation dissolving Parliament speedily followed, and towards the close of July the country was deep in the turmoil and excitement of a general election. The personal standing of Mr Hincks was still good. He was returned for two ridings, Renfrew and South Oxford; but his colleague in the ministry, Malcolm Cameron, was soundly beaten in Lambton by George Brown, and soon after shrank into the obscurity of private life, from which he again emerged in 1860, as an elected legislative councillor, to possess himself ultimately of the lucrative office of Queen's printer, and the extravagance and impropriety of which, in his day of rampant Grittism, he had so often and so violently denounced.

Secure of a majority from Lower Canada, the ministry had expected that a dissolution would strengthen their hands in the Upper Province. But the *Globe* newspaper, which had supported Sir Allan M'Nab against Mr Buchanan in Hamilton, was now more firm in its opposition than ever, and the *North American*, the *Examiner*, *Mackenzie's Message*, and other extreme Reform journals, regarded it also with no friendly spirit; while the whole Conservative press was exceedingly hostile. The *Toronto Leader*, a new yet ably-conducted journal, continued to stand firmly by the ministry, as well as the more moderate Reform journals generally. The newspaper press was, at this juncture, the true reflex of the public mind, and it was now quite evident that a deep schism was riving asunder the hitherto solid ranks of the Reform party of Upper Canada.

Such was the condition of affairs when the new Parliament assembled on the 5th of September. Defeat awaited the ministry on its threshold. George E. Cartier, the member for Vercheres, was the ministerial candidate for the Speakership of the Assembly, and was duly moved by Robert Spence, of North Wentworth, and seconded by François Lemieux, a Lower Canadian. On the part of the opposition, Antoine A. Dorion proposed Louis Victor Sicotte, as the Speaker, and had for his seconder Joseph Hartman, who sat for the extreme Reform Riding of North York. Cartier was defeated by a majority of three. The Lower Canadians gave the ministerial candidate a majority of nine, but he was in a minority of twelve as regarded the representatives of Upper Canada. Although this vote clearly indicated the hostile spirit of the House, the ministry still clung to the hope that the liberal character of their sessional programme would rally some at least of the dissatisfied Reformers to their ranks. On the 6th, the Governor-General formally opened the Legislature with a speech designed to be of a satisfactory nature. He announced that the Imperial Parliament, in response to their address, had empowered them to make the Upper House elective, commended to their attention the settlement of the Clergy Reserves and Seigniorial Tenure questions, and urged the desirability of remodelling the tariff, so as to permit of the Reciprocity Treaty being carried into effect.

But it soon became evident, that even the satisfactory tone of his Excellency's speech had not strengthened the hands of the ministry, and that it was the determination of the section of the Upper Canada Reformers led by Mr Brown, to drive it altogether from office, and to unite, if necessary, with the Conservatives for that purpose. On the 7th, great efforts were made by the opposition to weaken the ministry still further ; and so alarmed did one of its members, Dr Rolph, now become, that he expressed his determination to resign. That evening a question of privilege having come up, a demand for twenty-four hours' delay by the Attorney-General for Lower Canada to consider the matter was refused by the House. Dr Rolph voted with the opposition, a circumstance which made the situation still more embarrassing, and the Hincks administration had now no course left but to resign.

Although the ministry had been driven from power by the union of the Brown party with the legitimate Conservative opposition, the followers of Mr Hincks in the Assembly were still a strong and solid body, who bitterly resented his fall, and stood ready to avenge it at the first opportunity. There were now in point of fact three

distinct parties in the House—the old Reform party, led by Mr Hincks ; the Brownite party, composed of the extreme Reformers of Upper Canada and the *Rouges*, or Liberal party of Lower Canada ; and the Conservative party. Of these the Hincks party was much the more numerous, and with which neither the Brownite nor Conservative party could singly expect to cope. Sir Allan M'Nab, who had been sent for by the Governor-General, on the resignation of Mr Hincks, to form a new Cabinet, measured shrewdly the correct situation of affairs, and at once proceeded to profit by it. His first step was to open negotiations with Mr Morin, the leader of the Lower Canadian Conservative party, and which had hitherto supported the Hincks administration, with the view of forming a Government on the basis of carrying out the measures of the late Cabinet. Morin and his friends disliked the section of the Reform party led by Mr Brown infinitely more than they did the Conservative party of Upper Canada, and readily entered into the proposed alliance. Overtures were next made to Mr Hincks to secure the support of his party, and which was speedily conceded on the consideration that two gentlemen, having the full confidence of himself and his friends, should be included in the new administration. After consulting with John A. Macdonald, and other Conservative leaders, Sir Allan M'Nab agreed to the terms proposed by Mr Hincks, and the first Coalition Government of Canada forthwith sprang into existence. As President of the Council, and Minister of Agriculture, Sir Allan stood at its head. Robert Spence became Postmaster-General ; John A. Macdonald, Attorney-General West ; William Cayley, Finance Minister ; and Chaveau, Provincial Secretary. This coalition, however, was not approved by all the Hincksite party, and several of whom at once went into opposition. Still the new administration had a large majority to sustain them, and the Reform opposition stood for the present in a hopeless minority. Mr Brown had been completely outwitted by the *coup d'état* of Sir Allan M'Nab, and found himself utterly unable to reap any benefit from the important victory he had, after so much exertion, achieved. At the same time, the destruction of the Hincks Cabinet, and the consequent union of the Conservative parties of Upper and Lower Canada, may be regarded as the death-knell of the old Reform party of this country, so long cohesive hitherto, and so formidable under the leadership of Robert Baldwin. And from that day to this that party has never recovered its ancient prestige.

The new administration promptly proceeded to redeem its pledges, with regard to carrying out the policy of the late Cabinet, as an-

nounced in the Governor-General's speech at the opening of the session. Such of its members as belonged to the Assembly, and had to go back, therefore, to their constituencies for re-election, had been alike violently opposed by extreme Tories and extreme Reformers, but were all, nevertheless, elected. When they again took their seats, they found that an opposition to their government had been fully organised. It was composed of the *Rouges*, led by Mr Dorion, of the extreme Reformers, or, as they were termed, Clear Grits, under the leadership of Mr Brown, and of several moderate Reformers, who regarded John Sandfield Macdonald as their chief, and aiming to be consistent with party traditions, now refused to aid a Coalition Government in passing most important Reform measures. But ministers, nevertheless, did not hesitate to pursue the line of action they had determined upon; and, on the 17th of October, a bill was introduced for the secularisation of the Clergy Reserves. The bitter hostility to the Church of England, mainly produced by the course of Bishop Strachan as a politician, in so thoroughly identifying that Church with the obnoxious rule of the Family Compact, had at length culminated to its meridian, and nothing would now assuage the sectarian and political agitation but the utter alienation of the endowment. Regarded at first as the exclusive property of the Church of England, the claim of the Church of Scotland to a share of the Clergy Reserves had to be admitted, after much agitation and a decision of the bench of English judges in its favour. At a later period, still less exclusiveness had been shown in the distribution of the proceeds of the lands, a large portion of which, under the provision of an imperial act, had been placed at the disposal of the Governor-General, for the benefit of the clergy of any denomination willing to receive public aid. Yet even this liberal arrangement was not deemed satisfactory; and the agitation caused by the exclusive claim of the Church of England had scarcely ceased, when it was succeeded by another, which had for its object the entire alienation of the Reserves from religious uses. The Free Church movement, which led to the Scottish secession in 1843, produced, in the ensuing year, a corresponding action in the Canadian Presbyterian body. It being a cardinal principle with the newly-organised Church, that public aid, however unconditionally granted, was injurious to the cause of religion, its members at once united with the party who had from the first advocated the appropriation of the endowment to secular objects, and the agitation was again bitterly renewed. Robert Baldwin, a member of the Church of England, was opposed to secularisation; and, despite his great public services, this circum-

stance had lost him the hearts of the Reform party. Francis Hincks unquestionably had a covert dislike to the measure; and although he eventually turned with the current it swept him to the bottom. The Conservative party, mainly composed of members of the Churches of England and Scotland, clung to non-secularisation as the great mainstay of their political faith, and yet its leaders had now to bend to the storm. The Government measure speedily became the law of the land, the Clergy Reserves under its provisions were handed over to the various municipal corporations for secular purposes, and a noble provision made for the sustentation of religion frittered away so as to produce but very few beneficial results. The Churches of England and Scotland were violently dragged down to the level of other religious bodies, could no longer arrogate to themselves a state supremacy of any kind, and the democratic features of the country presented an evenness of religious surface which had hitherto been wanting. Bishop Strachan had led the Church of England in Canada to bitter and humiliating defeat; and while the wise policy of the same Church preserved its Trinity and other endowments in republican America, unwise assumption and clerical politics in monarchical Canada had raised up against it the most bitter and persistent foes, who had never ceased their efforts till they swept every royal acre from its possession. But, a slender provision for the future was saved from the wreck of its Canadian fortunes. The permissory act of the Imperial Parliament had reserved the life interests of incumbents. These interests were now commuted by the Canadian act of secularisation, with the consent of the clergymen themselves; the foundation of a small permanent endowment was thus laid, to the great disgust of the opposition, and the Clergy Reserves question was fully and finally settled for ever.

But, while every semblance of a State Church was being vigorously swept away in Protestant and Democratic Upper Canada, the Roman Catholic community of the Lower Province bowed contentedly to the government of their clergy, regular and monastic, who quietly collected their tithes, took care of their princely city endowments, erected splendid temples for their worship, and swayed the political aspirations of their flocks. No country in the world, not even excepting Spain, is such a paradise for the Papal clergy as Lower Canada. Secured in their broad possessions by the terms of the old French capitulation, they repose in peace under the solid and safe protection of the British flag; and revolution or annexation as regards them can only mean deprivation and misfortune. The simple and unlettered *Habitant* bends willingly to clerical rule, as

the best, not only for his spiritual, but even temporal welfare ; while the more educated and refined, who aspire to political position, or social influence, find it a paramount necessity to bow to priestly domination. So complete, indeed, is its sway, that it passes onwards almost wholly unquestioned, and scarcely a murmur against its despotic authority escapes from within its portals to the world outside. In Montreal, its religious and educational foundations are wealthy and imposing ; there its real estate constantly assumes grander architectural forms, whilst its Jesuit and other churches are either marvels of size or of splendid interior decoration. In Quebec, its huge temples tower upwards in a solidity of construction which promises perpetual duration, while all around is touched with the finger of decay and departing prosperity. In the rural districts its churches are the great features of the level landscape, and their spires even glance in the far-off northern sunshine, which lights so coldly the ripples of the romantic and rock-bound Saguenay. And yet this Church, so massive in its foundations, so repressive in its tendencies, so fatal to freedom of thought, so crippling to national progress, was so politic in its general course, that it excited none of the indignation which had rolled so constantly and persistently against the Church of England ; and the agitation against State endowment in Upper Canada did not make even a solitary rent in its armour. Whatever uneasiness might have possibly been produced by the agitation against the Clergy Reserves in the minds of its flocks, was skilfully turned by the clerical order against the abuses of the Seigniorial Tenure, and the public voice of Lower Canada, under its direction, now loudly demanded the abolition of this residue of the feudal ages. Anxious to establish an aristocracy in Canada, as the basis at once of religious and regal influence, the French Crown, from time to time, had granted large tracts of land to younger members of ancient families ; and the patents on which these were held confirmed to them in addition many of the privileges accorded to the *noblesse* of old France. Years elapsed, even after the Conquest, before these privileges were found to be very oppressive. But although the charges on the lands were never high, the heavy payments accruing to the seigniors on the transfer of property, and the repression of industry caused by milling and other vexatious monopolies, led to a very general desire for the abolition of the system. The bill to effect this object passed through the Assembly in conjunction with that to secularise the Clergy Reserves, and made provision to have the claims of the seigniors, as defined by a commutation commission, paid from the public chest. Five years

afterwards, the expenditure under this act had reached to about \$1,000,000; not a large sum, certainly, for the valuable results achieved. Several other important measures were also passed during this session. The Grand Trunk Railway Act was amended, a new Customs Tariff adopted, the Canada Ocean Steamship Company incorporated, and effect given to the Reciprocity Treaty. On the 18th of December, the necessary legislation having all been completed, Parliament was adjourned with the usual formalities to the 23d of the ensuing February. On the following day, Lord Elgin, who had committed the fatal mistake of identifying himself too closely with one of the political parties of the country, resigned a government so fruitful of personal humiliation to himself, and at once proceeded home. The tide of public opinion had again set strongly in his favour, but his memories of Canada were laden with too many indignities to render a longer residence in it either pleasant or desirable. No doubt, also, he anticipated other employment from the Imperial Government. After his subsequent mission to Japan and China, he closed a great and useful existence in the Governor-Generalship of India, the highest post in the gift of the British Crown, and became another distinguished victim to a climate so fatal to European life. Mr Hincks remained in Canada but a few months after the departure of Lord Elgin. He had already outlived his once great popularity; and the union of his immediate followers with the Conservatives, and the charges of corruption against himself, so thoroughly alienated the bulk of the Reform party of Upper Canada, that his political influence must have been destroyed for all time to come. In England, Lord Elgin no doubt stood his friend; and the Palmerston administration, not unmindful of his services, appointed him to the Governorship of the Windward West India Islands; and, in addition, solaced him for the loss of his Canadian influence by the honour of knighthood.



## CHAPTER XXV.

### THE GOVERNMENT OF SIR EDMUND W. HEAD.

SIR EDMUND W. HEAD, appointed at the ripe age of fifty years as the successor of Lord Elgin, was descended from an ancient and honourable English family of Kent. As a gentleman-commoner of Oriel College, Oxford, he had 1855. distinguished himself for a close application to philosophy and rhetoric, passed finally a brilliant examination, was almost immediately afterwards elected to a fellowship, and received the appointment of tutor to Mereton College. A clever article from his pen in the *Foreign Quarterly Review* introduced him to the notice of the Marquis of Lansdowne; and by whom, shortly afterwards, he was created an assistant poor-law commissioner, at a salary of £1000 a year. In this office Sir Edmund acquitted himself so well, that a change in the administration only tended to advance his interests; and Sir James Graham promoted him to be chief commissioner, and doubled his remuneration. But the assaults of a portion of the London press, and the dissatisfaction of the public with the new Poor-Law Act, which he had mainly framed, compelled his retirement from office, to be appointed Governor of New Brunswick, and to be elevated, subsequently, to the more important position of Governor-General of British North America. Such, then, was the man, under whose auspices the adjourned session of Parliament was opened on the 23d of February. During the recess, several changes had taken place in the Lower Canadian section of the ministry. Morin had resigned the commissionership of Crown Lands, to be succeeded by Joseph Cauchon, George E. Cartier had replaced Chaveau as Provincial Secretary, and Chabot made way for Lemieux in the department of Public Works. But the Coalition Cabinet, nevertheless, still held the reins of power firmly in their hands; and throughout the session the opposition continued in a large minority on all important questions.

On the 27th, a despatch from the Colonial Secretary to the Governor-General, which gave evidence of the kindly spirit that now subsisted between the mother-country and her cis-Atlantic daughter, was laid before the House. It acknowledged the receipt of the cordial congratulations of the Parliament of Canada on the victory gained by British and French arms on the heights of the Alma, and of two drafts of £10,000 sterling each, voted towards the relief of the widows of the soldiers and sailors of both nations slain in the war. Nor was this spirit of sympathy with the motherland in her difficulty restricted to the Parliament of this country. It produced the subscriptions, for the same benevolent purpose, of the cities and towns throughout the land, and otherwise evoked the deepened feelings of natural affection in the hearts of its people.

The session terminated on the 30th of May, after the unusual number of two hundred and fifty-one bills had been enacted. A large and solid majority had enabled the ministry to transact a very great amount of business. The opposition, still led by Mr Brown, had not improved its position by the occurrences of the session; and, intensely disliked as its leader was by the majority of the French Canadians, it would now seem as if the Coalition Cabinet was destined to have a long lease of power. The Governor-General's closing speech supplied a historical retrospect of value. He alluded to the Clergy Reserves Act of the preceding session, as being based on liberal principles, and respecting individual rights; to the Seigniorial Tenure Act, as effecting great changes, with some individual hardship, but establishing Canada as the only country in the world where the feudal system had expired without violence and revolution, and to the benefits already arising from the operations of the Reciprocity Treaty. Great issues had, indeed, been for ever disposed of; his Excellency had no public evils of magnitude to dilate upon; and, secure in the most ample guarantees of their rights, the people of Canada could now apply themselves, without let or hindrance, to the full development of their material prosperity. A brief paragraph in the speech set forth, that a measure, passed during the session, had provided for the improved organisation of the militia and volunteers, and this was the first step taken towards the creation of a volunteer force in Canada. Hitherto, in time of peace, the militia was simply a paper organisation, and the regular troops were alone available in the event of any sudden emergency. But the new Militia Act produced a most important change for the better in this respect, and ultimately led to the formation of well-drilled and efficiently-equipped volunteer corps throughout the whole of

Canada ; an element of additional security in time of peace, and an admirable nucleus for a militia army in the event of war.

The year 1855 may be regarded as constituting a fresh landmark in the commercial annals of Canada. The general policy of the Peel administration, which culminated in the repeal of the Corn Laws, had terminated the protective and discriminative Home and Colonial system of trade. Up to that period the commercial legislation of Canada had been made to harmonise, as far as possible, with the imperial practice. But, left to shift for herself as best she could, the Legislature abolished in 1848 the differential duties in favour of direct trade with Great Britain ; and the repeal of the imperial Navigation Laws, in 1849, still further loosened the commercial bonds between Canada and the mother-country. As a necessary consequence, the trade policy of the colony again became the reflex of that of the parent land ; and the Reciprocity Treaty was the coping-stone of a system, inaugurated six years before, which opened wide the portals of the Canadian market on equal terms to all the world, and commenced a new and more enlightened era of commercial intercourse. With the close of 1854, the old trade period may be said to have finally terminated. During that year the imports into Canada had amounted to \$40,529,325, on which, at an average rate of twelve per cent., the duty collected was \$4,900,769, while the exports were only \$23,019,190. The total public revenue from all sources was \$6,088,110, against an expenditure of \$4,171,941, thus leaving a large surplus, which led, in 1855, to the reduction of the Customs Tariff to ten per cent. On the other hand, the legislation of the three preceding years had increased the public debt by \$21,000,000, and this debt, at the beginning of 1855, had swelled to \$38,851,833. The greater portion of the new debt had been contracted for the Grand Trunk and other railways, of which three hundred and thirty miles had now been opened, despite the severe monetary pressure mainly resulting from the Crimean war. Towards the close of the summer the Grand Trunk Railway had been completed to Brockville, one hundred and twenty miles above Montreal, and some of the piers of the Victoria Bridge had also been constructed. The rejoicings for the railway opening followed close upon those for the Fall of Sebastopol—an occurrence which illuminated almost every city and town from Gaspe to Goderich.

The commencement of the new year brought with it no event of importance to record. Railway matters had not yet begun to seriously vex the public mind ; and beyond a very slight agitation relative to making the Legislative Council elective, and the

1856.

seat of government question, no political excitement whatever existed. From the general tone of the Reform press, however, it was quite evident that the feeling of antagonism to Sir Allan M'Nab's government was on the increase. It was too liberal and progressive to suit the Family Compact wing of the Conservative party, but not sufficiently extreme to meet the views of that portion of the Reform party which acknowledged the leadership of Mr George Brown. This gentleman, destined at a more recent period to fill a very prominent position in this country, was born in Scotland, at the city of Edinburgh, in 1821. In 1838 his family emigrated to New York, where his father, Mr Peter Brown, a man of large general information and excellent abilities, commenced the mercantile business. But his success not being commensurate with his expectations, he entered, in 1842, upon the career of a public journalist, and issued a weekly newspaper, intensely Anglo-Saxon in every respect, called the *British Chronicle*. Its proposed field of operations was already, however, too completely filled by the *Albion*; so the *Chronicle* only lived for the brief space of eighteen months. In 1843 the family removed to Toronto, and there Mr George Brown became the publisher, in the interests of the Free Church Presbyterians, of a weekly newspaper termed the *Banner*. In 1844 the publication of this journal was relinquished for that of the *Globe*, a newspaper devoted to Reform, politics, general news, and literature, which very speedily attained to a most influential position. In 1849 he was appointed, by the Baldwin-Lafontaine ministry, as a commissioner to investigate certain alleged abuses in the Provincial Penitentiary, a trust he discharged with much ability and benefit to the country. In December 1851, he was first elected to the Legislature as a member for the county of Kent, and his unquestionably great abilities soon raised him to a conspicuous position.

A man of this stamp, whose personal exertions in behalf of his party were aided by the great influence of the leading Reform journal of Upper Canada, could not be otherwise than a most formidable opponent. Gifted with a clear and vigorous intellect, possessed of habits of great industry, and of the most indomitable perseverance, his information extended over every branch of the public service, and eminently fitted him for the position of a partisan leader and successful agitator. It is a somewhat singular circumstance that as regards the latter capacity, this country should be so much indebted to natives of Scotland, instead of to its more mercurial citizens of Irish origin. The eccentric Gourlay effected, indirectly, no small amount of good for Canada; his mantle fell

upon the shoulders of William Lyon Mackenzie, to produce, indeed, the miseries of rash and partial rebellion, but, at the same time, to hasten the advent of "Responsible Government," the redress of numerous abuses, and the dawn of a new, more enlightened, and more healthy epoch. Of a far superior stamp to his two predecessors, Mr Brown's intellectual standard is commensurate with the modern and more advanced period of Canadian progress; and if the want of tact, and an inaccurate perception of the true idiosyncrasy of this country, have led him occasionally into fatal errors of statesmanship, posterity, nevertheless, must confess itself deeply indebted to him for a manly exposure of public abuses, and for restraining the current of corruption, which railway and other kindred speculations turned at one time so strongly upon Canada.

Early in 1856, Mr Brown's peculiar views, as well as his public policy, were rising rapidly into favour with the Reform party of Upper Canada. His sturdy Protestantism not only rallied to his side the Free Church and Methodist denominations, which had hitherto entered largely into the composition of that party, but was also awakening a profound sympathy in the Orange element of the Conservative ranks. The agitation against the influence of the Roman Catholic priesthood, now unquestionably very great, and against Lower Canadian domination, was already becoming popular in the Upper province; and the Baldwin and Hincks policy of a union with the French Conservative or Church party, was almost entirely abandoned by the Western Reformers.

Such was the condition of affairs when Parliament, on the 15th of February, assembled at Toronto, whither the seat of government had now been removed. The Governor-General's opening speech set forth that there was a large balance of Clergy Reserves money awaiting distribution among the several municipalities, that the subject of an elective Legislative Council (the old French dream of the visionary Papineau) would again be brought before Parliament, recommended reforms in the Legislature, in the police system, and in prison discipline, stated that a contract for a St Lawrence line of ocean steamers had been completed, and congratulated the country on the inestimable blessing of profound peace, while other parts of the world were suffering the privations and miseries of war. A bitter debate on the address ensued, and ministers were most violently assailed, not only by Mr Brown and his friends, but also by several Conservatives, who disliked their secularisation of the Clergy Reserves, or were tainted by the extreme Protestant views propagated by the *Globe* newspaper, and by other journals of a kindred stamp.

The Cabinet ultimately carried the address by a good majority, yet it was quite evident that its position was not by any means a secure one, and that the desertion of many of its supporters might now take place at any inauspicious moment. On the 10th of March, John Hillyard Cameron, subsequently Grand Master of the Orange Association for many years, moved for a copy of the charge delivered to the jury by Judge Duval, on the trial of several men at Quebec for the murder of a Protestant, Robert Corrigan, in the neighbouring township of St Sylvester. The judge and jury were all Roman Catholics, and the acquittal of the accused, in the face of evidence generally deemed conclusive, gave a partial aspect to the proceedings, which awoke a storm of indignation on the part of the Protestant population of the country. No previous trial had ever so deeply moved the public mind of Canada, or caused such bitter feeling on the part of the Western press; and for a time it seemed as if the Orange element would ally itself permanently with the Reform party. The formation of a new and exclusively Protestant party was now advocated by the *Globe* and its immediate partisan contemporaries, while several Conservative journals leaned strongly in the same direction. Under those circumstances, Mr Cameron's motion placed ministers in the most serious dilemma. If they agreed to its passage, and so permitted Judge Duval's charge to be reviewed by the House, their French-Canadian supporters would be seriously offended and alienated; while if they pursued the opposite course, they must expect to lose the votes of some Protestant Conservatives. Skilfully covering their procedure by constitutional pleas, ministers refused to agree to the motion, and were defeated by a majority of four. They declined, however, to regard this as a vote of "want of confidence," on the ground chiefly that a subsequent division, the same evening, showed they had still the support of the majority of the House.

These occurrences, in addition to the bitter sectional conflict caused by the "seat of government question," still undecided, materially weakened the ministry; and it now became evident, that some changes must be made in its composition, or it would ere long be compelled to surrender the reins of power into the hands of the opposition. Its Hincksite section cavilled at the premiership of Sir Allan M'Nab, on the score of his past Family Compact proclivities, and imagined, that if he were compelled to retire altogether from the Cabinet, it would strengthen their hands with the Reform party, and disarm the hostility of its press. Born at the town of Niagara in 1798, Sir Allan had soldiered so stoutly during the three years' war

with the United States, was long a member of the Canadian Legislature, and, as we have already seen, rendered important services during the dark period of the rebellion. Solid, loyal, and respectable, his past excellent and consistent record, and not his brilliancy of intellect, had raised him to the position of a party leader. But ambition could no longer endure even respectable mediocrity, and his colleagues now determined to sacrifice Sir Allan M'Nab, with the double object of propitiating the opposition, and of making way for the more able leadership of the Attorney-General, John A. Macdonald. The intrigue was successful, and on the 23rd of May the Premier resigned, to be succeeded by Mr Tache, a member of the Legislative Council, and a Lower Canadian of respectable reputation and abilities. But Mr Macdonald, as the ministerial leader in the Assembly, was the real head of the administration; and from that day to this has occupied a foremost place in the public councils of his country. Like many other political notabilities of Canada, he had been the architect of his own fortunes, and his biographical story may briefly be told. The son of Scottish parents, who established themselves at the city of Kingston, he applied himself in 1829 to the study of the law, although then but fifteen years of age, and had barely attained his majority when admitted to the bar, a matter at that day of even less difficulty than it is now. A brilliant defence of the unfortunate Pole, Von Schultz, captured at the battle of the Windmill in 1839, brought the young lawyer into prominent notice; and his great tact, genial nature, and affable manners made him a favourite with the public, and added to his rising reputation. In 1844 he was elected for Kingston, and has since continued to be the member for his native city, despite various attempts to unseat him. Attaching himself to the Conservative party, he was appointed in 1847 Receiver-General in the Draper administration, but had only a brief term of office, owing to its defeat in 1848. For the ensuing six years, Mr Macdonald remained in opposition, and on the resignation of Mr Hincks, his counsel and assistance led in no small degree to the formation of the coalition ministry. A ready and fluent speaker, tenacious of purpose, possessed of great tact and sterling administrative ability, he has filled a most prominent position as a public man, through a long, and at times most critical, period for this country; and has tided it safely over difficulties of the most serious kind.

Such was the person who became the Conservative leader of Upper Canada in 1856, and whose elevation speedily produced a reaction in favour of the Cabinet. Under his auspices it passed safely through a stormy session, which terminated on the 1st July, and

placed several important measures on the statute-book. Foremost among these was the Common Law Procedure Act, which greatly simplified and expedited the proceedings in the Courts of Queen's Bench and Common Pleas in Upper Canada, and another act which effected the same results as regarded its county courts,—both much-needed measures of law reform. An act was also passed during the session, making the Legislative Council elective, and which permitted the existing incumbents to hold their seats during life, but adding twelve elected members to their number every two years, and whose term of office was eight years. The lapse of time demonstrated this measure to be a failure. It neither tended to make the Upper House more popular, nor the elected members superior to those hitherto appointed by the Crown. The elective system, as regards the chamber of the same character, has accordingly been abandoned under the Confederation Act, and the old and more constitutional mode of appointment again resorted to.

Aside from Parliamentary matters, but few events of note, intimately affecting this country, transpired during the year. A terrible railway accident, the first of the kind which had occurred in Canada, on the 12th of March, awoke a general feeling of the most painful description. A passenger train from Toronto to Hamilton broke through the bridge over the Desjardins Canal, leading to Dundas, crashed through the solid ice beneath, and seventy people were killed. The Treaty of Paris, signed on the 1st of April, which terminated the war with Russia, was gladly hailed throughout Canada as an assurance of peace and prosperity to the parent land. But the year had not yet terminated when war broke out between Great Britain and China, and the progress of hostilities, although so remote, had a depressing influence on the commerce of this country. The mutiny of the hitherto pampered and caressed Sepoys of the Bengal army, in British India, in the earlier part of the ensuing year, tended still further to produce a stringency in the money market, and a consequent derangement in trade, which seriously checked the progress of Canada, and paved the way for the commercial crisis which soon after ensued.

The Legislature assembled at Toronto on the 26th of February, and on this occasion its proceedings were not characterised by that bitterness of party debate which had prevailed during the preceding session. A fair majority still continued to support the ministry, and enabled it to secure the passage of several measures of law reform, now much needed, as well as an act for the codification of the statutes of Lower Canada. Much useful legislation otherwise



resulted from the labours of this session, which terminated on the 10th of June, and its proceedings generally were satisfactory to the public.

On the 26th of June, a terrible catastrophe occurred in Canadian waters. A large steamboat, plying between Montreal and Quebec, took fire off Cape Rouge when on her way upwards, and speedily burned to the water's edge. Of two hundred and fifty-eight immigrants, mostly from the Scottish Highlands, who had embarked in the *Montreal*, only fifty-eight were saved, although the river at this point is scarcely a mile wide, and the total loss was estimated at two hundred and fifty souls. In the month of August, much public interest was excited by the effort, now being made for the first time, to lay an electric cable between Ireland and Newfoundland. After four hundred miles had been submerged, the cable broke, and the project was abandoned for the time. In September a serious monetary and commercial crisis arose in the United States, which produced numerous bank and mercantile failures there, and reacted very unfavourably on Canada. This circumstance, in connexion with the collapse of commercial credit which followed shortly afterwards in England, a poor harvest, and the almost total cessation of railway expenditure in this country, produced a great stagnation of trade, and caused a considerable falling off in the public revenue. This state of things, coupled with the fact that, with the single exception of the Great Western line, Government had now to assume the payment of interest, amounting to \$800,000 per annum, on all the railway advances, as well as the interest on the Municipal Loan Fund debt, now reaching annually to about \$400,000, caused a serious deficit in the public exchequer. At the close of 1857 the entire income of Canada was \$5,352,794, while the total expenditure summed up to \$5,692,942. Too many costly public works had been undertaken, in the fever of excitement produced by the Railway and Loan Fund legislation of the Hincks administration; more railways had been built than were required by the necessities of the country, or than its legitimate traffic could sustain; and the reaction which commenced this year was in part the inevitable result of undue speculation. Public improvements had been made in advance of the population, the wealth, and the commerce of the country; and the increase, in the progress of time, of these elements of national greatness could alone restore the healthy equilibrium of the financial condition of the body politic.

As the year drew towards its close, Mr Tache resigned the Premiership, and Mr John A. Macdonald became his successor.

A dissolution of Parliament was now determined on, and the country was speedily wrapt in the excitement of a general election. The most strenuous exertions were made by ministers and their friends, to secure a majority in the new Assembly; while the Reform party, vigorously led by the *Globe* newspaper, used every effort in the opposite direction. Every possible cry was raised in order to defeat the Government, and even religious issues were had recourse to during the contest. The Hincks element in the Reform party of Upper Canada now completely disappeared, while in the Lower Province, on the other hand, the Rouge party, which had allied itself with Mr Brown, met with almost total defeat. The latter result had been chiefly produced by the hostility of the French Roman Catholic clergy, who regarded the avowed republicanism of the Rouges, and the outspoken Protestantism of Mr Brown, with almost equal dislike. Nor were the religious issues raised in Upper Canada barren of results. On the contrary, they produced a complete revolution in public sentiment in several electoral districts; and in the city of Toronto, the union of the numerous Orange body with the Reformers secured the return of Mr Brown, and who, now at the zenith of his popularity, was also elected for the North Riding of Oxford. But the principal result of this election was the creation of a new and most embarrassing public issue. The preponderance, although small in extent, secured by the Reform party in Upper Canada, must render it necessary for ministers, if they desired to retain their portfolios, to abandon the "double-majority" principle, that is, a majority in their favour from both Upper and Lower Canada separately, as well as collectively, and deemed necessary hitherto, in order to prevent unpalatable legislation from being forced by one province on another. This principle had been adhered to since the union in 1840, by the various administrations; and its recognition had led Mr Baldwin to resign, in consequence of the adverse vote of Upper Canadians on his Court of Chancery policy for their province, although sustained by a large majority of the whole House. A principle of this kind has never been entertained for a single moment by the Imperial Parliament, and in which it has not at anytime been deemed necessary that ministers should have a majority of Scotch members on Scotch questions, nor of Irish members on Irish measures. Yet, however untenable the double-majority principle might be on the score of sound constitutional politics, the antagonism of race, and even of interest, rendered its exercise necessary hitherto to harmonious legislation. While the criminal laws of the country had gradually

assumed a uniform condition, the civil law had one statute-book for Upper and another for Lower Canada ; and it became necessary, therefore, to exercise the utmost care to avoid exciting the prejudices of race, and, we might also add, of creed. Hence arose the adoption of the double-majority principle, and its abandonment by the administration of Mr John A. Macdonald led immediately to the cry of French domination on the part of the Reform party, to the agitation for representation by population, and paved the way for the governmental dead-lock which ultimately ensued, and the only remedy for which was the Imperial Act of Confederation of 1866.

Parliament met on the 28th of February, at Toronto, and was found to be largely composed of new members, of whom 1858.  
sixty-five had been returned. Among these was John Sheridan Hogan, whose clever essay on Canada has been so generally read, and whose subsequent murder by a band of thieves and prostitutes at the Don Bridge, Toronto, created such a profound sensation at the time. But the most notable of the legislative novelties was unquestionably Thomas D'Arcy M'Ghee, elected by the Irishmen of Montreal West, and whose publicly-expressed desire "to have half an hour on the floor of the House with George Brown," had at length been gratified. A newspaper correspondent quaintly narrates, "that Mr M'Ghee took the oath of allegiance without hesitation, and subscribed it with a firm hand." The whilom compatriot of the truculent vitriol-throwing John Mitchell, and of the brilliant, though mistaken, Thomas Francis Meagher, who had moreover written such daring refrains as the "Felon flag of England," had indeed settled down into a respectable and law-abiding Canadian citizen, and now sat in its Legislature as the advocate of Roman Catholicism, and the antidote of the Puritan Mr Brown, but whose general policy he was speedily found supporting, thus verifying the old adage that extremes sometimes meet.

The election of Speaker at once developed the weakness of the opposition, and who had declined to put forward a candidate of their own. Henry Smith, of Kingston, the ministerial candidate for the speakership, was elected by seventy-nine against forty-two votes ; and this fact having been duly notified to the Governor-General, he came down in state, on the following day, to open the House. As befitted the occasion of a new Parliament, his speech was more lengthy than usual. It alluded to the progress of the rebellion in India, to the disturbance of commercial relations, which had distinguished the latter part of the preceding year, to the necessity of

sundry improvements in the law, and to the fact "that the country had gone to the utmost limit of pecuniary aid to the Grand Trunk Railway," and against further assistance to which a great outcry had already been raised outside, as well as in, the Legislative Assembly.

The debate on the address was at once stormy and protracted. The opposition, led most ably by Mr Brown, assailed the policy of the ministry at all points, and exultingly pointed to their majority from Upper Canada as evidence of the soundness of their views, and the popularity of their position. As the session progressed, the question of representation by population, without regard to a dividing line between Upper and Lower Canada, was strongly pressed on the attention of the House, but negatived by a vote of sixty-four to fifty-two. The minority was composed of the whole Reform representatives of Upper Canada, with the single exception of John S. Macdonald, of Cornwall. Thus the abandonment of the double-majority principle had already produced an agitation of a new and formidable character.

Foiled, however, at every other point by the skilful fencing of ministers, the opposition at length determined to avail themselves of the seat of government question in order to defeat them. And here it may be necessary to remind the reader, in order to understand more fully the nature of this question, that after the destruction by a mob of the parliament building in Montreal, it had been determined to hold the seat of government alternately at Toronto and Quebec, in order to propitiate the representatives of both sections. This perambulating system had proved to be alike most expensive and inconvenient, and during the session of the preceding year, both branches of the Legislature had agreed to a resolution asking the Queen to decide the question of a permanent seat of government, and which, owing to their local interests and sectional jealousies, they could not themselves agree on. Parliament had supplemented this request by passing an act appropriating the sum of \$900,000 for the erection of public buildings at such place as her Majesty might be graciously pleased to designate. And thus the matter stood at the close of 1857.

The three years' war with the United States had taught the Imperial Government the necessity of some safe mode of communication from tide water to the Great Lakes. After various explorations, the inland route up the Ottawa was selected, to a point where an affluent of that river, the Rideau, leaps down in a foaming cascade upon its turbid waters; and from thence a ship canal, connecting lakes and rivers, was to extend navigation, by a circuit-

ous route, to the fortified post of Kingston, the Frontenac of French dominion, at the foot of Lake Ontario. In May 1826, Lieutenant-Colonel John By, of the Royal Engineers, arrived in Canada to carry out this project, (completed in 1834,) and made his headquarters where the proposed canal was to descend, by eight locks, a deep declivity of some ninety feet in perpendicular height to the Ottawa River. The romantic beauty of this sequestered woodland spot had no counterpart in all Canada. Less than a mile above, the noble current of the Ottawa, speeding on its way from the north-west oceanwards, narrows into picturesque rapids, and then plunges down the Falls of the Chaudiere, in a cloud of spray and mist, to chafe against its steep rocky boundaries below. Grassy dells where the parasitical wild vine clung to the umbrageous forest tree, and hills covered by the stately and solemn white pine, along which the wild deer bounded, and where the notes of the whip-poor-will re-echoed plaintively through the solitude, at intervals varied the landscape. And here it was that, under the fostering care of Colonel By, and stimulated by the expenditure of English gold, gradually arose a town, mainly peopled at first by the rough diggers of the canal, and the stalwart lumbermen, *Habitant* and Anglo-Saxon, who so mercilessly hewed down the magnificent pine forests of the Ottawa, and whose carelessness so frequently produced conflagrations in the woods, still more destructive than themselves. Genuine rough "shiners" were all these sturdy backwoodsmen, and many years elapsed before their rude impress made way for a more refined civilisation. But they were not the less its solid precursors there as well as elsewhere. Bytown, the centre of a vast lumber trade, and spreading out its settlements on every side, gradually expanded into a city of some fourteen thousand inhabitants, two parts English and one part French, and when it ungratefully cast from it the appropriate name derived from its founder, and selected the more euphonious Indian one of Ottawa. And this was the site wisely selected by the Queen for the permanent seat of Provincial Government. The current of the River of the Outawas,\* here not quite half a mile wide, separated the straggling little city from Lower Canada; and thus situated on the borders of both sections, in a locality, too, with a mixed population, the selection was a triumph to neither, while its easy accessibility by steamboat and railway, and its inland central situation, made it, of itself, a desirable point for the seat of government. Thanks to the provident foresight of Colonel By, the Crown had reserved a bold headland rising over the river, and on

\* Its correct Indian name corrupted into Ottawa.

this the Parliament buildings of the Dominion of Canada, the finest structures of the kind on this continent, have been erected at an expense many times greater than was at first intended.

Nothing, certainly, could have been more judicious, from every point of view, than her Majesty's gracious decision. Yet it met with little favour from those parties, who, influenced by motives of personal or local benefit, desired to set the advantage of the seat of Government at Toronto or Quebec, above their Sovereign's selection, or the necessities of the country. It was a weak and unwise stand-point from which to assail a ministry, and exhibited an utter want of tact, and a recklessness of ulterior consequences. A motion, that it was a cause of deep regret that her Majesty had been advised to select Ottawa as the capital of the country was carried, on the 28th of July, by a majority of fourteen. Ministers shrewdly saw the advantage they must derive from this vote, and although it was ostensibly a censure on the Queen's judgment and decision, and not on them, at once determined to resign. Thus they completely identified themselves with their Sovereign, and that Sovereign, too, a woman ; and in becoming her defenders were covered by the shadow of the public sympathy which at once encircled her. Nor were their shrewdness and tact without their prompt reward. Vexed with themselves that selfish motives had led them into a false position, the Conservatives from Upper and Lower Canada, who voted for the motion, took the first opportunity to act hostilely to the opposition, in order to redeem their own reputation.

As the leader of the opposition, Mr Brown was immediately written to by the Governor-General, offered a seat in the Executive Council, as the premier of a new administration, and requested to signify his acceptance of this offer in writing. On the following evening, his Excellency informed Mr Brown that he would give him no pledge in reference to a dissolution of Parliament, but that any advice tendered him on this subject would at once receive his serious consideration. To a prorogation, however, he would pledge himself, provided two or three bills, which he deemed necessary for the public welfare, should be passed, and the necessary supplies secured by a vote of credit. Mr Brown accepted these conditions, and at once proceeded to form the Cabinet.

On the ensuing evening, Mr Patrick, of Prescott, announced the names of the new ministry.\* It met with scant favour at the hands

\* The new ministry was composed as follows :—

UPPER CANADA.

Inspector-General, Premier, George Brown ; Speaker Legislative Council,

of the House of Assembly. On the motion of Mr Langevin seconded by Mr Robinson, this body declared, by a vote of seventy-one to thirty-one, that they had no confidence in Mr Brown's administration; while the Upper Chamber made a similar declaration on a division of sixteen to eight. The ostensible reasons alleged for this action were, that the members of the new Cabinet already stood pledged to opposite principles, and had not publicly announced a programme of their ministerial policy; but the true causes were the strong dislike entertained towards Mr Brown by the great majority of the members from Lower Canada, and the desire of others to retrace their course, as regarded their opposition to the Queen's decision on the seat of government question. This adverse vote led the Cabinet to demand a dissolution, on the ground that the House of Assembly did not command the confidence of the country, aside from the circumstance, that it was entitled to all the support which the Governor-General could give it. But his Excellency, whose political leanings were quite evidently in another direction, declined to take this step on several constitutional grounds. He urged that a newly-elected House must represent the people, that the business of Parliament had not been completed, that the corruption alleged to have been practised at the recent elections would only be repeated in a new one, unless legislative enactments interposed, and that the law of election should first be altered. And a calm and dispassionate view of the case must lead to the conclusion that Sir Edmund Head had strong grounds for the policy he avowed. The Brown Cabinet had now no course left but to resign, and which course it accordingly pursued, after it had remained in power for the brief period of two days. Sir Edmund Head was never forgiven for his conduct at this crisis. He was accused of partiality, of leaning unconstitutionally to the Conservative party, and from that day forward his acts were most unfavourably criticised by the Reform press, and his position rendered exceedingly unpleasant. Like so many of his predecessors, he had deeply offended one of the political parties of the country, by apparently supporting another, and had accordingly to pay the penalty of partial unpopularity.

Very few readers of classical English literature, who have not

James Morris; Postmaster-General, M. Foley; Attorney-General, West, J. S. Macdonald; Provincial Secretary, Oliver Mowat; Solicitor-General, Dr Connor.

LOWER CANADA.

Attorney-General, East, L. T. Drummond; Com. of Crown Lands, A. A. Dorion; Bureau of Agriculture, M. Thibaudeau; Receiver-General, M. Lemieux; Public Works, L. H. Holton, Solicitor-General, East, M. Laberge.

made the acquaintance, in some way or another, of John Galt, the friend and biographer of the poet Byron. This gentleman came to this country in 1826, as a commissioner of the Canada Land Company, and remained here for a period of three years. He left a pleasant record behind him, and founded Guelph, while the town of Galt continues to perpetuate his memory. In 1833, his son Alexander, then only a youth of seventeen summers, commenced life in the eastern townships, as a junior clerk, in the service of the British America Land Company. His careful Scotch habits, natural ability, and attention to his duties, won for Mr Galt the confidence of the company, and the lapse of twenty-two years found him the chief manager of its estates. In 1849, this self-made man was elected for the county of Sherbrooke, and in 1853 for the town of the same name, and for which he has constantly been returned from that day to this. Of liberal and progressive views, of mild and unassuming manners, an excellent speaker, and profoundly versed in matters of trade and finance, Mr Galt had gradually risen to a foremost place in the House, and, in the present exigency, the Governor-General turned to him, on the resignation of the Brown Cabinet, as the person best fitted to form an administration. But, at once a Protestant and a representative of an English-speaking Lower Canadian constituency, Mr Galt's position was one of isolation as regarded the French element in the Legislature, while his opinions were of too moderate a stamp to command the confidence of either of the political parties now struggling for supremacy in the western province. Well aware that these causes precluded him from becoming a successful ministerial leader, and must always compel him to occupy a subordinate position in any Government, he promptly and wisely declined the proffered honour. Mr Cartier, as the leader of the Lower Canadian majority, was next applied to by his Excellency, and this gentleman, with the aid of Mr John A. Macdonald, speedily succeeded in forming a new Cabinet,\* and in which Mr Galt became Finance Minister.

\* This Cabinet was composed of the following gentlemen:—

UPPER CANADA.

Attorney-General, West, J. A. Macdonald ; President of Council, John Ross ; Commissioner Crown Lands, P. Vankoughnet ; Receiver-General, G. Sherwood ; Postmaster-General, Sidney Smith.

LOWER CANADA.

Attorney-General, Mr Cartier ; Inspector-General, Mr Galt ; Solicitor-General, Mr Rose ; Speaker Legislative Council, Mr Belleau ; Commissioner Public Works, Mr Sicotte ; Provincial Secretary, C. Alleyne.



Out of the formation of this administration a circumstance arose, which produced unmeasured censure from the Reform party. The Independence of Parliament Act of 1857 provided, in its seventh section, that if any member of a Cabinet elected to serve in the Legislative Assembly, or Legislative Council, resigned his office, and within one month after his resignation accepted another office in the Government, he should not thereby vacate his seat. Accordingly, those members of the former Macdonald Cabinet, who now accepted office, did not go back to their constituents for re-election, and sought to comply with this law, soon after repealed, and which should never have been enacted, by a simple exchange of positions. But whatever might have been the intention of the law, subsequent events proved that the ministry had complied with its provisions in a legal point of view. Actions were brought against such of them as had exchanged their offices, in the Courts of Queen's Bench and Common Pleas, and which under the ruling of the judges resulted in their favour. And while the legality of their conduct was thus established, its constitutionality was also asserted by a solemn vote of Parliament. At the same time, the members of the new administration, who had to return to their constituents for approval, were all re-elected. Not so, however, with Mr Dorion, the Attorney-General (East) of the Brown Cabinet, who was defeated in Shefford by a large majority.

But, despite the intense bitterness of party spirit which now prevailed, the Parliamentary session of 1858 produced many useful measures. Among these were a municipal act, an act providing for the more perfect registration of electors, and defining the right of franchise, and a new customs act, which placed the rate of duty on the great majority of importations at fifteen per cent., a step rendered necessary by the deficit in the revenue. The session was closed on the 18th of August by the Governor-General, in a speech guarded in the extreme, and permitting of little adverse comment. It was quite evident that he realised his position precisely, and that his popularity, never very great, had been entombed in the same grave with that of so many of his predecessors.

But, whatever little excitement might have attended the closing of Parliament was, on the following day, wholly dimmed by the news that the Atlantic cable had been successfully laid. Such was indeed the case, but its infant life hardly sufficed for the transmission of her Majesty's brief message of congratulation to President Buchanan ere it flickered to a close, and it still remained for science to bring the Old and New Worlds within speaking distance, and to enable

the wonderful electric spark to travel with the thoughts of two hemispheres through the deep abyss of the Atlantic Ocean. As the year drew towards its close, the country was called upon to mourn the death of Robert Baldwin, the Nestor of genuine Canadian Reform, the victim of ingratitude and contumely. Two days afterwards, his brethren of the bar met at Osgoode Hall, Toronto, to pay their fitting tribute to his memory, and where the two great MacDonalds, John A. and John S., bitter opponents in political life, united to honour a man whose remembrance should always be green in the memories and hearts of the Canadian people.

Parliament met at the early date of the 29th of January, and the Governor-General's speech was more than usually suggestive. It declared that it was now necessary to carry out the statute and the Queen's decision, relative to a permanent seat of government, that the Seigniorial Tenure Commission would shortly close its labours, and that a moderate outlay beyond the appropriation of 1854 would satisfy all claims. It further stated that the project of a union of all British North America had formed the subject of a correspondence with the Home Government, which would be laid before the House, that the commercial and financial depression had not wholly disappeared, and that it was to be hoped the exercise of a sound and rigid economy would enable Parliament to bring the expenses within the limits of the public revenue. The address, in response to this speech, was permitted to pass without much acrimonious debate. But a question, however, speedily arose which tested the position of ministers. Mr Brown's name was designedly left off the Committee of Public Accounts; and a motion to have it placed thereon was accepted by the Cabinet as expressing a want of confidence in its members, and was lost by a majority of seventeen. This vote had a tranquillising effect on the House, and the public business was now proceeded with in comparative quiet. The most notable measures of this session were a new customs act, which, owing to a continued deficiency in the revenue, advanced the rate of duty on the bulk of staple importations to twenty per cent., but, at the same time, wisely made provision for a large free list of raw products, to stimulate local manufactures, and the acts respecting the consolidated statutes of Canada and Upper Canada respectively. The work of consolidation had at length been most carefully completed, and at once proved of the greatest value to the bench, the bar, and the magistracy of the country. The seat of government question was fully set at rest, and the public buildings at Ottawa were to be at once proceeded with, while a loyally

couched and most pressing invitation was given to her Majesty, and any member of the Royal Family, to visit Canada, and open the Victoria Railway Bridge at Montreal, now on the point of completion. Towards the close of the session, some trouble was caused by the Upper Chamber refusing to adopt the supply bill, in consequence of its containing an item to defray the expenses of removing the Government to Quebec, and where it was to remain until the buildings at Ottawa were completed. But this exhibition of unusual independence in the Legislative Council was of very brief duration. More mature consideration of the matter led to calmer resolves, the supply bill was eventually passed as sent up by the Assembly, and the session closed in peace on the 4th of May.

While the United States were convulsed by the shock of Northern abolitionism with Southern slavery, caused by the insane attempt of John Brown, the small cloud like a man's hand which presaged the advancing storm, the summer sunshine of Canada remained undimmed by a single untoward event. In November, a great gathering of the leaders of the Reform party took place at Toronto. The abandonment of the double-majority principle by ministers, and the fact that they were in a parliamentary minority as regarded Upper Canada votes, naturally led, at this convention, to a loud cry of Lower Canadian domination, and to a demand for representation by population. The conclusion was arrived at, that the union of Upper and Lower Canada had failed to realise the intentions of its promoters, that the Constitution itself was defective, and that the formation of two or more local governments, with some joint authority over all, had now become a paramount necessity. The resolutions which embodied these opinions were inspired by Mr Brown, and thus was laid the tangible basis of an agitation which ultimately led to confederation. The only other event of note which the remainder of the year produced was the actual commencement of the Parliament buildings. On the 22d of December, ground was broken for the foundations, and the prospect of their town becoming the seat of government, gave additional zest to the Christmas festivities of the citizens of Ottawa. The prize for which Quebec and Toronto had so fiercely contested had fallen most unexpectedly into their hands.

As the result of the new tariff, and also of an abundant harvest, which stimulated the commerce of the country, the public revenue for 1859 had increased to \$6,248,679, while the expenditure was only \$6,099,570. The imports for the year amounted to \$33,555,161, and the exports to \$24,766,981, there being thus as usual a large

trade balance against this country, to be made good by the expenditure in one way or another of foreign capital. Nearly all the great railway enterprises were completed, and a total of two thousand and ninety-three miles had now been constructed and put in operation. The public debt had largely increased, and amounted to \$54,142,044, of which the sum of \$28,607,013 was an indirect liability, representing advances on the security of the province to railway companies, and also, under the provisions of the Loan Fund Act, to municipalities. But none of the public debt had been contracted for the support of fleets and armies, and owed its origin almost wholly to the prosecution of great works for the development of the agricultural, mineral, and other resources of the country.

On the 28th of February, the Legislature assembled at Quebec, 1860. whither the seat of government had, in the preceding summer, been removed. After the usual routine proceedings, which embraced no feature worthy of notice, had terminated, the Governor-General laid before the Lower House a despatch from the Colonial Secretary, the Duke of Newcastle. It announced the receipt of the joint address of both chambers to the Queen, inviting her to visit this country, and the expression of her regret, that owing to her presence being required at the seat of empire, she was unable to comply with their request. Impressed, however, with an earnest desire to testify, to the utmost of her power, her warm appreciation of the affectionate loyalty of her Canadian subjects, the Queen expressed, through her minister, the hope that his Royal Highness the Prince of Wales would be able to attend the ceremony of opening the Victoria Bridge in her name.

The Legislature had only been a brief period in session, when the opposition proceeded to develop the policy determined on at the Toronto Reform convention of the preceding November. Mr Brown gave notice that he would move two resolutions; the first being to the effect, that the existing Legislative Union of Upper and Lower Canada had failed to realise the anticipations of its promoters, had resulted in a heavy debt, great political abuses, and universal dissatisfaction; and that from the antagonism developed through difference of origin, local interest, and other causes, the union in its present form could no longer be continued with advantage to the people. The second resolution set forth, that the true remedy for those evils would be found in the formation of two or more local governments, to which should be committed all matters of a sectional character, and the erection of some joint authority to dispose of the affairs common to all. Three weeks afterwards, Mr

Foley moved a direct vote of want of confidence in ministers, and Mr Ouimet an amendment thereto of a directly opposite character. An amendment to the amendment was moved by another member of the opposition, Mr Laberge, which struck at the Cabinet indirectly. On this being put, it was negatived by sixty-eight to forty-four votes. A new amendment was then presented, censuring ministers, because one of them (Mr Macdonald) belonged to the Orange body, and which was lost by one hundred and five to nine votes. Its bad result, however, did not deter another member from moving that the House did not repose confidence in the administration, because it had deserted Roman Catholic interests, and especially as regarded separate school reform in Upper Canada. But this motion met with even worse success than its predecessors, and was sustained by only six votes. Mr Ouimet's amendment, expressing confidence in ministers, was then put to the House, when the yeas were seventy, and the nays forty-four. This vote convinced the opposition of the uselessness of further attempts to compel the resignation of the Cabinet, the public business was now quietly pushed forward, and towards the close of April the "Estimates," among which was one item of \$20,000 to defray the expenses of the anticipated visit of the Prince of Wales, were well advanced. Meanwhile a serious division had arisen in the ranks of the opposition, many of whom were now most unwilling to follow any longer the leadership of Mr Brown. This feeling produced a public quarrel in the House, between the latter and some of his political friends; and Mr Campbell, the member for Rouville, implored him to retire from the leadership of a party, with which, so long as he remained at the head of it, the French-Canadians could never unite.

On the 8th of May, Mr Brown's resolutions in reference to the constitutional relations of Upper and Lower Canada were taken up and finally disposed of. The first was negatived by a vote of sixty-seven to twenty-six, and the second, meeting no better fate, was lost on a division of seventy-four to thirty-two. This result evinced in the most emphatic manner that only a small minority of the Assembly were in favour of a federal union, on the basis propounded by Mr Brown. Yet, subsequent events have plainly demonstrated that his only error lay in being in advance of his contemporaries, and also of general public opinion. His "joint authority" scheme was the one ultimately adopted, despite the censure it met with at this time from the leaders of the ministerial party. On the 19th of May, after a loyal address of welcome to the Prince of Wales had been agreed to,

a session which had been productive of no very remarkable legislation was brought to a close, and Parliament prorogued in a brief and appropriate speech by the Governor-General, to assemble again some three months afterwards, in order to greet the arrival of the heir to the British throne.

No prospective event in Canada had ever cast such a joyous shadow before it as the now looked-for advent of the Prince of Wales. From one end of the country to the other it evoked a feeling of the most loyal enthusiasm, and people of all classes, and of all shades of politics, now united most cordially to do honour to the Imperial representative of their good Queen. From every direction along the proposed route of progress, arose the din of preparation; and city, and town, and village corporations, voted money to decorate their localities, and make fitting arrangements otherwise. At Quebec, a portion of the Parliament buildings had been handsomely fitted up for the reception of the Prince and his suite, and here, on the 21st of August, he was received in state by both Houses of the Legislature, headed by their Speakers, Narcisseau Belleau of the Council, and Henry Smith, of the Assembly; and both of whom received the honour of knighthood. The festivities all terminated at Quebec, progress westward was resumed to Montreal, and where a grand ovation awaited his Royal Highness. As the steamer *Kings-ton*, which carried him and his suite, entered the harbour, the batteries of St Helen's Island thundered out a royal salute, the sailors of the vessels of war manned the yards and made the welkin ring with cheers, taken up by the vast multitude who lined the substantial wharves, while the city bells reverberated far and wide their sonorous tones of welcome. A little farther on, the current of the noble river, still chafing angrily from its descent of the Lachine Rapids, was spanned by the Victoria Bridge, the idea of which first assumed tangible shape in the mind of a talented Canadian engineer, Thomas C. Keefer, to be elaborated and perfected by the genius of a Stephenson. Stretching ten thousand feet from shore to shore, with pier openings two hundred feet in width, and rising in the centre one hundred feet above high-water mark, to permit lake steamers to pass beneath, this colossal structure stood, the eighth wonder of the world. And this was the bridge now formally opened for traffic by the Prince of Wales, in the name of his august mother, and after whom it was most fitly called. Next day Montreal literally ran riot with joy. A grand ball collected all that was bright and beautiful in the city to greet the heir-apparent of their Sovereign, and night was turned into day by the blaze of illuminations and fireworks, that lit up the dark mountain

side in the background, or flashed over the broad current of the St Lawrence as it sped murmuringly oceanward.

From Montreal the Prince of Wales proceeded to Ottawa, and where, on the 1st of September, in the presence of the Duke of Newcastle, the Governor-General, many of the notabilities of Canada, and a most brilliant suite, he laid the foundation-stone of the new Parliament buildings, and subsequently shot the timber slides of the Chaudiere on the usual lumberman's crib. Proceeding up the Ottawa, to Arnprior, he crossed the country by carriage and railway to Brockville, where he arrived at night, and a most brilliant reception awaited him. This loyal little town greeted him with a grand firemen's torchlight procession, with triumphal arches, fireworks, an illumination, and bonfires among the islands in the river. Embarking on board the *Kingston*, the royal party proceeded next day westwards through the beautiful lake of the Thousand Islands. But no landing was made either at Kingston or Belleville in consequence of the Orange societies of those neighbourhoods, insisting on receiving his Royal Highness with party flags, processions, and music. Further unpleasantness, in connexion with the Orange body, awaited him at Toronto, where a triumphal arch on his proposed route was decorated with its flags and emblems, and beneath which he declined to pass. This raised a storm of Orange indignation against his advisers, and the Duke of Newcastle and the Governor-General were burned in effigy on Colborne Street. His progress through the Western Peninsula evoked no additional demonstrations of this nature, and the most joyous welcome everywhere awaited him. His Royal Highness finally passed, at Windsor, out of Canada into the United States, to be exceedingly well received in all the great Northern cities visited by him, and particularly at Boston, but to have his passage southward stopped at Richmond, the gateway of the slave states, by insulting demonstrations on the part of its mob.

In December, the case of a fugitive slave of the name of Anderson, who, in making his escape from bondage in Missouri, seven years before, had killed a man who sought to arrest him, created much excitement. The hunted fugitive succeeded in reaching Canada, and where, after a long residence, he was recognised by a slave-catcher from Missouri, charged with murder, and his extradition demanded under the provisions of the Ashburton Treaty. The magistrate who examined the case decided that the charge was sustained, and the Government was now applied to for Anderson's surrender. Brought before the Court of Error and Appeal at Toronto,

on a writ of *Habeas Corpus*, Chief-Justice Robinson delivered its decision, Judge M'Lean alone dissenting, that Anderson should be given up. This decision created the greatest excitement throughout the country, and raised the question whether murder could have been committed by Anderson in his endeavour to escape from a state of slavery, and whether the killing of his Missouri assailant, Digges, was not an act of purely self-defence. Steps were speedily taken to bring the matter before the English Court of Queen's Bench, and where a new writ of *Habeas Corpus* was sued out. But before this writ could be acted upon, Anderson was set free by the Court of Common Pleas at Toronto, Chief-Justice Draper presiding, on the ground of informality in his warrant of committal. This decision terminated the proceedings against Anderson; but his case led to a revision of the Canadian act, enforcing the Ashburton Treaty, and primary jurisdiction, as regarded foreign fugitives from justice, was taken from the control of ordinary magistrates, and left with judges of county courts and police justices.

Meanwhile a dark storm-cloud had been gathering over the United States, and the ultimate breaking of which exercised no small influence on the progress of Canada. Wearied at length with the domination of the slave states, the masses of the North broke away from the Democratic party, always Southern in its instincts, and elected Abraham Lincoln, an abolitionist lawyer of Illinois, to the presidency of the Union. Great, accordingly, was the ferment at the South, and the politicians of which had virtually governed the country for a long period of time. But the loss of power and emoluments of place was even of less consequence with them than the danger to slavery, which they supposed resulted from the election of Lincoln. South Carolina was the first to secede from the Union, and at Charleston a small federal force in Fort Sumpter was virtually besieged as the new year came on, and an attempt to relieve it with troops and stores, by the steamship *Star of the West*, was repelled by the cannon of the insurgent state. Wild was the alarm that now spread through the Northern states, and in Maine a strong movement was made for annexation to Canada. The government of the Confederate States was speedily organised, and as spring approached, North and South were alike busily preparing for the coming struggle.

Parliament assembled at Quebec on the 16th of March. The Governor-General's speech alluded to the abundant harvest  
 1861. of the preceding year, the acknowledgment by the Queen of the loyal manner in which her son had been mainly received in this country, and to the fact that he had been advised to represent to Her



Majesty's Government, that a writ issued by the English Court of Queen's Bench had been served in this province, and the expediency of preventing by legislation any conflict of judicial jurisdiction. Canada was jealous of its privileges and authority. The debate on the address developed a good deal of ill feeling, relative to the unpleasant occurrences which had taken place during the visit of the Prince of Wales. It was stated that the Orangemen had been insulted in not being permitted to give a loyal welcome to his Royal Highness after their own fashion ; that the Freemasons had been treated with disrespect, in not being allowed to lay the corner-stone of the public buildings at Ottawa, after having been invited to do so ; and that indignities had also been offered to the Presbyterian and Methodist bodies, in connexion with the presentation of their addresses. Amendments to the address, embodying these complainings, were, however, voted down by large majorities ; and a motion by Mr John Sandfield Macdonald, asserting that ministers should adhere to the double-majority principle, a favourite idea with him, was lost on a division of sixty-five to forty-six. A direct motion of " want of confidence " in the Cabinet was also lost by a vote of sixty-two to forty-nine ; and on the 22d terminated six days of weary and profitless debating on the address. Still, it was quite evident that the position of ministers was becoming weaker.

After the Easter recess, a portion of the returns of the census, taken at the close of the past year, was laid before the House. These documents showed a large increase in the population of the country. In 1841 the population of Upper Canada was 465,375 ; in 1851, 952,061 ; while in 1861 it had reached 1,396,091. On the other hand, the population of Lower Canada in 1841 was 690,782 ; in 1851, 890,261 ; and in 1861 it stood at 1,110,444. It will thus be seen that the population of all Canada, at the beginning of 1861, was 2,506,755. But the rate of increase had been much more rapid in the Upper than in the Lower Province, and the number of its inhabitants was now 285,427 in excess of that of the latter. This circumstance gave new hope to the members of the Reform party in the House, and they eagerly turned to the question of representation by population, as the sure panacea for the evils of French domination. They were strongly opposed by the ministerial party, the Premier making, on the 19th of April, a forcible speech in opposition to the motion embodying their views, and were again beaten. But the principle they now advocated was subsequently interwoven with the Imperial Act of Confederation, and which gave nineteen new members to Upper Canada. The long debates had consumed much of

the time of the Assembly, and this session drew towards its close without having added any noticeable legislation to the statute-book. On the 8th of May, Parliament was prorogued, and in a few weeks afterwards was dissolved, and the writs issued for a new election. The contest throughout Upper Canada was most vigorously conducted on both sides, and resulted in favour of the Reform party. But its leader, Mr Brown, lost much of his prestige, being beaten in Toronto by a majority of 191, owing to the union of the Orangemen and Roman Catholics against him; while at the same time Cartier defeated Dorion, the Rouge leader, in Montreal East.

Meanwhile, the troops of the belligerent states were marshalling themselves on the banks of the Potomac, for the conflict which could not now be very long deferred. Westward, at the fork of the Ohio and Mississippi rivers, a body of Federal troops prevented supplies from reaching the Confederate States, while, at the same time, preparations were made to blockade their ports, and so narrow their resources seaward. This course was a virtual concession of the sovereign authority of these states to levy war, and led to the declaration of Lord John Russell, that the South must now be regarded as a *de facto* power, and be accorded belligerent rights. On the 13th of May the Queen's proclamation was issued, warning all her subjects to maintain a strict neutrality, and afford aid to neither of the contending parties. On the 21st of July the battle of Bull's Run took place, and the first deep torrent of blood shed in a fratricidal war, during the progress of which fully fifty thousand Canadians, despite the Queen's proclamation, entered the Northern army as volunteers, while comparatively few in number attached themselves to the forces of the Confederate States.

But, while the attention of the people of Canada was eagerly turned to the progress of the bitter civil conflict now waged in a neighbouring nation, so intimately connected with them by commercial relations, and a common language and lineage, their country peacefully reposed in the shadow of the British flag, and presented, after its election contests had terminated, but few domestic events to record. On the 28th of August, William Lyon Mackenzie's wearisome life came to a close, and the troubled spirit sank to rest. Pecuniary embarrassment had thrown a gloom over the last days of his existence. Destitute of income, with failing health, and deeply in debt, he had been living on credit, and his bills matured without time bringing the means to pay them. The confidence in the future which had lit up his path during the darkest periods of his life failed him at last, and he ceased even to hope. There remained

for the erring, though honest patriot, but one course now open—to lay down and die, to quit a world which had no longer a solitary ray of genial sunshine for him. During his last illness, he refused all medicine, would comply with no physician's directions, and the grave soon closed over all his troubles.

In October, Sir Edmund Head ceased to be Governor-General of Canada. On the 23d of that month, his successor, Lord Monck, arrived at Quebec, and on the following day was duly sworn in. On the same day, Sir Edmund departed for Boston, *en route* for England. As already seen, he also had become unpopular with a portion of the community, and had recently been made the subject of a large amount of censure. Like his predecessor, Lord Elgin, he hastened to leave, without regret, a country which had been fatal to the reputations of so many Governors-General, and who had unwisely identified themselves with one or the other of its political parties.

## CHAPTER XXVI.

### THE GOVERNMENT OF LORD MONCK.

CHARLES STANLEY MONCK was born at Templemore, in the county of Tipperary, Ireland, in 1819. Educated at Trinity College, Dublin, he was called to the Irish bar in 1841. In 1849 he succeeded to the family title and estates, and in 1852 first entered the Imperial Parliament as the member for Portsmouth, an English constituency. In 1858 he was appointed a Lord of the Treasury by the Palmerston administration, and held that office for two years.

Such was the brief record of a man whose prudent career as a Governor-General has made him many friends and very few enemies, and who has stood well with all its political parties throughout his long term of office, and during which this country passed through a most critical period of its history. He had scarcely taken the reins of government firmly in his hands, when what was known as the Trent difficulty arose between Great Britain and the United States, and which, for a time, threatened to involve them in a war, in which Canada, had it occurred, must have acted a most important part. Captain Wilkes, of the United States steamship *Jacinto*, took by force on the 9th of November the Confederate Commissioners, Mason and Slidell, from the British mail steamer *Trent*, plying between Vera Cruz and Southampton, in utter defiance of the law of nations, and the rights of a neutral power.

Hitherto, a strong sympathy for the United States had existed in Canada, and the secession of the South was regarded with little favour by the great bulk of its people; but the Trent difficulty, and the idle boastings and threats of the more unscrupulous portion of the American press, now rapidly changed the current of public sentiment, and turned it largely into indifference, or in the direction of the weaker party—the South. As the year drew towards its close, the whole country was rapidly springing to arms, in expectation of

immediate hostilities. Volunteer companies were being formed in every direction, steps were taken to organise the militia force, and steamship after steamship, freighted with troops and munitions of war, arrived from the mother-country. While the excitement produced by these occurrences culminated to its meridian, Canada was thrown into the saddest mourning by the intelligence that Prince Albert, the amiable and high-minded consort of the Queen, had, on the 15th of December, expired of gastric fever. Deep indeed was the sympathy of the people of Canada for their bereaved Sovereign, who had long since won their hearts by her virtuous and prudent conduct, and by the true womanly instincts of her nature. While this country still mourned the irreparable loss which the empire had sustained, the war-cloud passed away : Mason and Slidell were surrendered to the British Government, and were speedily on their way to Europe.

The beginning of the new year was not distinguished by any domestic events of importance. Parliament met at Quebec on the 21st of March, and Lord Monck came down in no small state to open its proceedings. A large portion of the inhabitants were out of doors to witness his progress, and fifteen hundred volunteers and a force of regular troops lined both sides of the streets through which he passed. The garrison guns, manned by the Royal Artillery, thundered forth their salute from Durham Terrace, far and wide, over land and water ; a battery of volunteer artillery repeated the welcome elsewhere ; while the hearty cheers of the dense masses of spectators hailed, in a still more acceptable fashion, the appearance of their new Governor-General. At the chamber of the Legislative Council a brilliant assemblage of military and civil dignitaries greeted his arrival, and gave additional lustre to the ancient ceremonies of the occasion. 1862.

Parliament having been opened with the due formalities, the Assembly proceeded to elect Joseph E. Turcotte as their Speaker, by a majority of thirteen over the opposition candidate, Mr Sicotte ; and that duty performed, his Excellency made a second visit to the House to deliver his "opening" speech. It paid a fitting tribute to the memory of the deceased Prince Consort ; stated how the feeling of loyalty exhibited by the Canadian people during the recent Trent difficulty had been graciously recognised in the Queen's Speech on the opening of the Imperial Parliament ; and congratulated the Legislature on the abundant harvest of the preceding year, and the satisfactory condition of trade, notwithstanding the partial derangement to which it had been subjected by the

civil war still raging in the United States. It further set forth that papers would be laid before it showing that the Imperial Government entertained no objection to the establishment of a system of free commercial intercourse between the different provinces of British North America, and that during the recess a commission had sat to consider the present condition of the militia force, with a view to improving its organisation and efficiency, and the report of which would be submitted for its approval.

On Monday, the 24th, when the question of the order of the day came up in the Legislative Council, the Postmaster-General, Sidney Smith, said it was not the intention of the Government to proceed at once to the consideration of the Governor-General's speech. This course had been determined on in consequence of the Commissioner of Crown Lands, Mr Vankoughnet, having been appointed Chancellor of the Court of Chancery ; Mr. J. C. Morrison, Solicitor-General, West, created a Judge of the Court of Common Pleas ; and Mr John Ross, President of the Council, having resigned his office. Early in April, the vacancies in the Cabinet were filled up by Mr Patton, member of the Upper House for the Saugeen District, John Beverly Robinson, of Toronto, and John Carling, of London.

The debate on the address was of that lengthy character, now so common in the Canadian Legislature, and displayed the discordant elements of which the two great parties in the House were composed. Reformers declared for and against representation by population, the prominent feature of the wearisome debate ; and Sidney Smith voted against his colleagues of the Government on the same question. But ministers tided it safely through the prolonged discussion, which terminated on the 5th of April, defeated the opposition on a test vote by a majority of seventeen, and the public business was at length proceeded with. On the 7th, an address of condolence to the Queen, on the death of the Prince Consort, was agreed to in the Upper Chamber, of which Sir Allan M'Nab was now the Speaker, and sent down to the Assembly for its concurrence. It was at once adopted, and a joint-committee of both Houses presented it to Lord Monck, for transmission to her Majesty.

As the session progressed, it became more and more evident that the position of the Cabinet was daily becoming weaker. Mr Patton had been defeated on returning to his constituents for re-election, a circumstance which damaged ministers to some extent. A long term of place and power, in a constitutional system of government, of itself naturally weakens a ministry ; and not a few gross abuses, which had arisen in some of the public departments, relative to supplies of

stationery and other matters, were now used by the opposition to enfeeble still further the position of the Cabinet. Added to these causes of dissatisfaction, the constant annual deficiency in the revenue was ascribed to the financial policy of ministers, the cry raised against whom received, as the session progressed, additional volume from the fiscal changes proposed by Mr Galt, and which found as little favour with the Conservative, as they did with the Reform press. On the 30th of May, when the second reading of the Militia Bill, a government measure, was moved, ministers were abandoned by several of their Lower Canadian supporters, and defeated on a vote of sixty-one to fifty-four. Their resignation speedily followed, and the Assembly adjourned on the 23d, to permit of the formation of a new administration. Three days afterwards it again assembled to learn, from Lewis Wallbridge, of Belleville, that a Cabinet\* had been formed under the leadership of John Sandfield Macdonald and L. V. Sicotte. The same gentleman briefly announced the policy of the new administration to be, the restoration of the double-majority principle, in all matters locally affecting either section of the province; the readjustment of the representation of Upper and Lower Canada respectively; an amended Militia Law; and a revision of the tariff, so as to produce increased revenue, and afford protection to manufacturing industries; an Insolvent Debtors Act; a system of retrenchment in the public expenditure; the maintenance of her Majesty's decision on the seat of government question; and an investigation into certain alleged abuses in connexion with the construction of the parliamentary buildings at Ottawa. This announcement of their proposed policy was received with a good deal of favour by all classes of the community, and the leaders of the late Cabinet now declared their intention to give ministers a fair trial, and throw no obstacles in the way of useful legislation. On the other hand, the Upper Canada section of the new administration was fiercely assailed by Mr Brown, in the *Globe*, for not making representation by population, without any regard to

\* This Cabinet was composed as follows :—

#### UPPER CANADA.

Attorney-General, J. S. Macdonald; Solicitor-General, Adam Wilson; Postmaster-General, Mr Foley; Receiver-General, James Morris; Minister of Finance, Mr Howland; Commissioner of Crown Lands, William M'Dougall.

#### LOWER CANADA.

Attorney-General, Mr Sicotte; Solicitor-General, Mr Abbot; President of the Council, Mr M'Gee; Provincial Secretary, Mr A. Dorion; Commissioner of Public Works, Mr Tessier; Minister of Agriculture, Mr Evanturel.

a dividing line between Upper and Lower Canada, a Cabinet question, and for having, like their predecessors, surrendered themselves to French domination.

Such was the condition of public affairs when the session terminated on the 9th of June, after the transaction of only a very limited amount of business. A short amendment to the Militia Act had rendered it much more efficient, and showed that the country was prepared to incur a larger amount of expenditure for preparation against foreign attack. The closing speech of the Governor-General was brief but courteous; and he still stood well with both parties.

The defeat of the Macdonald-Cartier administration on its Militia Bill awoke a most unpleasant feeling in England; and the cry was raised there that the Canadian people were unwilling to defend themselves, and desired to throw the burden on the mother-country. And Lord Palmerston angrily declared, in the Imperial Parliament, that the Home Government had done as much to defend the Canadians as it intended to do, and that it rested with themselves to do the remainder, or disgrace the race from whence they sprung. At a public dinner in Montreal, Lord Monck re-echoed, in a subdued form, the warning tones of the British Premier, told his hearers plainly that England alone could not protect them in the event of war with the United States, and that from among themselves must arise the great armies of defence in the event of attack. But the Imperial Premier and the Governor-General erred alike in accepting the circumstances of the downfall of an unpopular administration as the act of the people of Canada, and who, in every time of peril, have invariably proved that they are not the degenerate offspring of a gallant ancestry.

The second week in August witnessed the death of Sir Allan M'Nab, at his residence near Hamilton, and who had survived his Reform contemporary, William Hamilton Merritt, but a brief space. And thus the links, which bound the present to the past generation of Canada, were being sundered one by one, by the inexorable hand of time. In September the Governor-General paid his first visit to Upper Canada, to open the Provincial Exhibition at Toronto, and increased his prestige, in no small degree, by his frank bearing and popular manners. His return to the seat of government was distinguished by the resignation of Mr Dorion, the Provincial Secretary, on the ground that he could not support the Intercolonial Railway policy of his colleagues.

The imposition of a high rate of duty by the Canadian Parliament,



had already produced, in the United States, a good deal of agitation adverse to the Reciprocity Treaty. The Legislature of the State of New York had adopted a long series of resolutions unfavourable to its renewal, which were transmitted to Congress, and there referred to the Committee on Commerce; and, as time progressed, this agitation received additional force from the heavy internal taxation entailed by the war. Towards the close of the year, Canada began to gain enormously by the operations of this treaty. The progress of hostilities was already narrowing down the resources of the Northern States, and farm stock rose to an unusually high value. As the cheapest market, Canada was now inundated with American speculators; and horse-dealers, especially, spread themselves in every direction over the country, to secure remounts for the United States cavalry and artillery. Never had the agricultural community such a market before, and they eagerly availed themselves of the opportunity to dispose of their surplus stocks to the best advantage. In this way a very large amount of money came into their possession, which the great majority of the recipients prudently used to discharge claims against their properties, and release themselves otherwise from debt. The frugal and simple habits of a rough backwoods population had long since disappeared in most parts of the country, ox-teams and homespun clothing were no longer prized as heretofore, and a fondness for dress, expensive carriages, and luxurious living had deeply plunged a large portion of the rural population into debt. To discharge obligations incurred to store-keepers, money was borrowed on mortgage, and many unfortunate and imprudent people, in this way, lost properties which it had cost a long period of hard toil to create. But, having acquired wisdom by the most bitter experience, farmers now eagerly availed themselves of this season of great prosperity to discharge every claim against them, and to bring their transactions much nearer to a general cash basis than was possible with them at any former period. The prosperous years which now followed were distinguished by an unusually small amount of litigation, and in every direction lawyers of even superior abilities could hardly make a living by their profession; while money-lenders no longer reaped the abundant harvest they had hitherto enjoyed. This gratifying condition of affairs tended also to a diminution of crime, but the volume of which had always been very limited in this country. The war had already absorbed the more unquiet spirits of the population, and the ample employment and high wages which prevailed led, in addition, to light calendars in the courts of justice.

Parliament assembled at Quebec on the 13th of February, and the

Legislative Council, having elected Alexander Campbell as their Speaker, in the room of the late Sir Allan M'Nab, the Governor-General delivered his speech. He congratulated the chambers on the loyal spirit evinced throughout the country in the enrolment of numerous volunteer companies, and the formation of drill associations, and submitted a programme for legislation, based on the previously-announced policy of the Cabinet. He added that commissioners had been appointed to inquire into the state of every branch of the public service, with a view to retrenchment and economy; and gracefully alluded to the spontaneous contributions which had flowed so freely from the province to relieve the distress in the manufacturing districts of Great Britain, caused by the great advance in the value of raw cotton, and by the other disturbances to the usual currents of trade resulting from the American civil war.

But the policy of the ministry, as avowed in his Excellency's speech, was by no means satisfactory to all the Reform members of the House, and Matthew Crooks Cameron moved an amendment to the address, asserting the principle of representation by population; while, from the Conservative benches, John Hillyard Cameron gave notice of a motion, which, without disturbing the existing number of members, would increase the representation of Upper Canada. The great bulk of the western Reformers, and some Conservatives, declared for the amendment, but the French Canadians to a man voted with the ministry, as well as John A. Macdonald, and it was lost on a vote of sixty-four to forty-two, while John Hillyard Cameron's motion fared still worse, and was negatived by a division of eighty-one to thirty-three. Ministers were safe for the time being, but now stood on dangerous ground, and might at any adverse moment be defeated. It was quite evident that public opinion in Upper Canada was already far in advance of the double-majority expedient, and a large section of the Reform press loudly demanded the representative position which its greatly-increased population and wealth entitled that province to fill. The lapse of time and the progress of the country had thus created a political difficulty of constantly-increasing magnitude, and which a new constitutional revolution could alone remedy. Nor did Mr Brown long remain without an opportunity to again advocate his views on this point in the Assembly. The elevation of Dr Connor, a member of the Cabinet, to a judgeship in the Court of Queen's Bench, created a vacancy in the representation of the South Riding of Oxford, and for which, early in March, Mr Brown was returned; but for some unexplained cause a month elapsed before he took his seat in the

House. Most probably he felt disinclined to embarrass ministers by pressing his peculiar views on their notice at this juncture.

The intelligence of the approaching marriage of the Prince of Wales to the beautiful daughter of the King of Denmark, softened, for a brief space, the asperities of party; and the 10th of March, announced as the wedding-day, witnessed the adjournment of the Legislative Council as a mark of respect for his Royal Highness. But this auspicious event produced only a temporary suspension of the political storm in the Assembly. Scott's separate school bill, which conceded some privileges to Roman Catholics, awoke anew the hostility of western Reformers, and thirty of whom now voted against it, a circumstance which increased still further the dislike of the Lower Canadians to co-operate with them. Nor was the statement of the Finance Minister, Mr Howland, calculated to raise the confidence of the House in the administration. Despite the large increase of revenue taxation in the preceding session, the deficit in the public exchequer was still quite serious, and showed that on this most important point ministers had proved unequal to the redemption of their promises. Mr John A. Macdonald now saw, with his accustomed shrewdness, that the correct time had come for adverse action, and on the 1st of May moved a direct vote of want of confidence in the administration. A vigorous debate ensued which lasted for four days, and when a division took place the Government was defeated by a majority of five, the vote standing sixty-four for the motion, and fifty-nine against it. Ministers had now either to resign, or appeal to the country. They chose the latter course, and on the 12th of May the Governor-General, in a brief speech, prorogued Parliament, with a view, as he said, to its immediate dissolution.

As a preparation for the approaching election, the Premier reconstructed the Cabinet to suit himself, retaining only three of his former colleagues.\* This was done with the view of gathering round him a larger support from the Brown section of the western Reform party, and of propitiating the Lower Canadian Rouges. The Premier's reconstruction policy was loudly denounced as unconstitu-

\* The reconstructed Cabinet stood as follows :—

Attorney-General, West, J. S. Macdonald; Attorney-General, East, Antoine A. Dorion; Receiver-General, William P. Howland; Provincial Secretary, Adam J. F. Blair; Postmaster-General, Oliver Mowat; Commissioner of Crown Lands, William M'Dougall; Minister of Finance, Luther H. Holton; Commissioner of Public Works, M. Laframboise; President of the Council, Isidore Thibaudeau; Minister of Agriculture and Statistics, Luc L. de Saint Just; Solicitor-General, West, vacant; Solicitor-General, East, L. S. Huntingdon.

tional by the Conservative press, inasmuch as a dissolution had been granted in favour of the Macdonald-Sicotte Cabinet, and not in behalf of its successor, the Macdonald-Dorion administration. These changes, however, proved of no great advantage to Mr Macdonald, for if he gained slightly in one direction he lost ground in another, Mr M'Gee and some others of his former supporters now going into opposition.

Aside from the excitement caused by a general election, mid-summer produced no domestic events of importance. In the United States the army conscription, now being relentlessly enforced, caused the greatest alarm among their people, many of whom fled across the borders into Canada, while in the city of New York the dissatisfaction broke out into furious riots, which produced robberies, burnings, and much bloodshed, and were only suppressed with the utmost difficulty. The refugees from the conscription did not prove themselves by any means a desirable addition to our population. Some of them engaged in the illegal occupation of procuring Canadians to swell the ranks of the very army they had themselves declined to join; while others had recourse to still more questionable methods to acquire a living. But while the progress of the war added to the intensity of the cotton famine in the mother-country, and produced the greatest suffering among its patient operatives, it deepened the current of Canadian prosperity, and continued to create a large market for our surplus produce.

The new Parliament assembled on the 13th of August. Ulric J. Tessier was chosen Speaker of the Legislative Council; and Lewis Wallbridge, Government candidate, Speaker of the Assembly, on a vote of sixty-six to fifty-eight. The Governor-General's speech was exceedingly non-committal, and did not develop any new ideas of public policy. When the address came up for discussion, ministers were hotly assailed on the score of the recent changes in the Cabinet. In the course of the debate, the Premier stated that the policy of the reconstructed Cabinet was not the same as that of its immediate predecessor. The double-majority principle was not now to be insisted on, and representation by population should be left an open question. His former colleague, Mr Sicotte, bitterly assailed him for having thus shifted his ground, and charged him with unfair dealing towards himself in the formation of his present Cabinet; while the explanations of Mr Foley and Mr M'Gee, as to the causes of their compelled resignations, were also very hostile. For full fourteen days did the debate on the address

drag its tedious length along; and on the 28th, when the final division was taken, sixty-three voted for ministers and sixty against them. Foley, Sicotte, and M'Gee, all late colleagues of the Premier, voted with the opposition; and it was now evident that the position of the Cabinet was an excessively weak one. A discussion which ensued, on the expediency of having another removal of the seat of government to Toronto, in the interval of the completion of the public buildings at Ottawa, still further damaged ministers (who opposed the change very properly) with western members. Nor was the annual budget submitted by Mr Howland, now Finance Minister, very reassuring. He stated that the total expenditure for the year would be \$15,119,200 including \$4,294,000 for the redemption of the seigniorial tenure bonds, and leaving \$10,911,090 as the ordinary outlay. The gross debt of Canada, funded and floating, was estimated by the minister at \$70,000,000, and the annual interest, which the country had to pay, at \$5,563,263. The total deficit in the revenue since 1857, amounted to \$12,000,000, and he stated that some means must now be devised to produce an additional sum of \$2,000,000 annually, in order to make the public income equal to the expenditure. The financial difficulties thus developed, were not a little increased by the eagerness of the public men and press of England, to have Canada place itself in a still better position for defence.

But small as the Government majority was, it held solidly together, and carried it safely through the session, which terminated on the 15th of October. To accomplish this object, however, ministers had to trim their course with the greatest care, and introduce no important measures which might provoke defeat. With a war-cloud lining the horizon, which might at any time break with disastrous force, the Southern confederacy giving evidence of exhaustion, which must ere long leave the victors at leisure to turn their arms in this direction, and Congress authorising the President of the United States to give the necessary notice to terminate the Reciprocity Treaty, never was a strong Government more required in Canada than at this juncture. The constitution was now fairly on its trial, a crisis was approaching in the affairs of this country, and how the difficulties of the situation were to be met and overcome, became a matter of no small anxiety with many thinking people.

The new year did not open at all brightly for Canada, and political matters still continued in a most unsatisfactory state. At a public dinner, given to ministers at Ottawa, Mr 1864.  
M'Dougall, now Commissioner of Crown Lands, stated that he had

abandoned representation by population, because he had found it to be impracticable, and was taken to bitter task by the *Globe* for the expression. Mr Brown still clung tenaciously to his opinions on this point, and had continued to hope that ministers might be induced to take the question up, until Mr M'Dougall's language undeceived him, and he now made no secret of his dissatisfaction and hostility. This circumstance had a damaging effect on the Cabinet, and the position of which was still further weakened by an occurrence which now took place. The office of Solicitor-General West had been kept vacant, and towards the close of 1863 was accepted by Albert N. Richards, a barrister of reputation, and member for the South Riding of Leeds, who had been previously returned by a majority of one hundred and thirty-five. Early in January the writ for his presumed re-election was issued ; but great exertions being made by the opposition, he was defeated by a majority of seventy-five, out of a total vote of two thousand six hundred and twenty-nine polled, and a Conservative returned in his stead. This was a severe blow to ministers, reduced their actual majority in the House of Assembly to one, and much speculation was now indulged in as to what course they would pursue.

The Legislature assembled at Quebec on the 19th of February. The Governor-General's speech informed the public that he had taken steps for the better organisation of the militia force and volunteers, under the act of the preceding session ; that the period was approaching when notice might be given to terminate the Reciprocity Treaty, by either party thereto ; and that he had devoted his best attention to the great interests involved. He further stated that the Ottawa buildings had been prosecuted with much diligence during the preceding summer, and a fresh contract entered into for ocean steamship mail service. The debate on the address weakened the confidence in the ministry of several of its supporters. The opposition, however, did not think it advisable to move any amendment, and waited for a more favourable opportunity to assail the Cabinet. A motion made by Mr Brown on the 14th, having reference to representation by population, still further embarrassed ministers. Mr S. Macdonald now vainly essayed to strengthen his Cabinet, and with that view made overtures to leaders of the Lower Canada opposition. But these being rejected, and Mr Brown having openly stated in the House that, circumstanced as ministers were, they had better resign, they succumbed to the force of adverse circumstances, and surrendered their portfolios into the hands of the Governor-General. Mr Blair, a member of the Upper

House, and Provincial Secretary in the late administration, was now sent for by his Excellency to form a new Government. But this gentleman failing to succeed, Sir E. P. Tache, a Lower Canadian Conservative, was next requested to undertake the difficult task. He at first declined the proffered honour, but finally, at the solicitations of Mr Cartier and other friends, consented to form a new administration. He succeeded, and when the House assembled on the 30th of March, Mr Cauchon informed it that a Cabinet had been completed, with Sir E. P. Tache, as Receiver-General and Minister of Militia, at its head.\* Its proposed policy was announced to be the placing of the militia force on the best possible footing, without increasing the existing expense, the maintenance of the Reciprocity Treaty, a commercial union with the lower or seaboard provinces, the readjustment of the canal tolls so as to secure western trade, the permanent establishment of the seat of government at Ottawa, departmental and fiscal reform, and the question of representation to remain an open one. The House adjourned until the 3d of May, to enable the members of the new Cabinet to complete their arrangements, and to go to their constituents for re-election. They were all again returned, with the exception of Mr Foley, who was beaten in the North Riding of Waterloo by a Mr Bowman.

But ministers, on resuming their seats, soon found that the House was not disposed to treat either them or their policy with much forbearance. The factious spirit of the Assembly was now thoroughly aroused; and wholly forgetful of the great public interests at stake, it appeared to be the sole aim of each of the rival parties to defeat their opponents, and secure themselves in power.

Accordingly, on the 13th of May, a motion of non-confidence in ministers, in consequence of their having advised the issuing of an order in council reducing the canal tolls, was moved by the opposition. The vote stood sixty-four to sixty-two, the narrow majority of two being on the side of ministers. On the 14th of June a fresh adverse motion, based on a Government loan of \$100,000 to Montreal in 1859 was made, and Messrs Rankin and Dunkin now de-

\* The Ministry was composed as follows :—

Receiver-General and Minister of Militia, Sir E. P. Tache; Attorney-General, East, Mr Cartier; Minister of Finance, Mr Galt; Commissioner of Public Works, Mr Chapais; Minister of Agriculture, Mr M'Gee; Solicitor-General, East, Mr Langevin; Attorney-General, West, Mr John A. Macdonald; Commissioner of Crown Lands, Mr Campbell; President of the Council, Mr Buchanan; Post-master-General, Mr Foley; Provincial Secretary, Mr Simpson; Solicitor-General, West, Mr Cockburn.

serting the Cabinet, it was defeated by a majority of two, the vote standing sixty to fifty-eight.

Faction had now literally exhausted itself, the public affairs of the country were completely at a stand-still, and for the moment it seemed as if constitutional government had finally ended in a total failure. Repeated changes of Cabinets had been tried, dissolutions of Parliament had been resorted to, every constitutional specific had been tested, but all alike had failed to unravel the Gordian knot which party spirit had tied so firmly round the destinies of this province. And the public stood aghast at this state of things; while the lovers of British constitutional government regarded the extraordinary situation with unlimited dismay. Lord Sydenham's Act of Union had already fulfilled its mission, and from the progress of the country had arisen a condition of affairs which imperatively pointed to a fresh constitutional revolution, as the only solution of the difficulties that surrounded it. Nor could the double-majority principle be now resorted to, as even a temporary specific; while, on the other hand, the Lower Canadians would never agree, under existing circumstances, to concede a representative preponderance to the sister province. The leading minds of the country naturally applied themselves, at this juncture, to discover some mode of escape from the dangerous difficulties of the public situation. One course, and one course only, promised relief; and that was the adoption of the "joint authority" scheme of Mr Brown, so frequently voted down in Parliament, so long opposed, and so mercilessly ridiculed by friend and foe alike. The night had passed away, and the morning dawn of success at length lit up an agitation based upon correct political principles, and which at one time seemed as if it never could be successful, and only worthy of being classed as the idle dream of an impracticable theorist.

Fortunately for the country, ministers now proved themselves equal to the grave occasion which had arisen. No time was lost in communicating with Mr Brown, and who had already expressed himself in favour of a settlement by compromises, of the constitutional difficulty which existed, with a view to some arrangement and mutual understanding, which would permit the business of the country to be carried on. That gentleman had now his revenge in the most ample manner. Mr John A. Macdonald, the man who had snatched the falling sceptre of Francis Hincks from his hand ten years before; who had so constantly traversed all his plans, and neutralised his policy; who had been his perpetual opponent, at every point, and the shafts of whose keen wit had so frequently trans-



fixed his "joint authority" idea; that man was now prepared to adopt the views he had so often covered with sarcasm, and to aid in carrying them into practical effect. And Mr Brown's Reform friends, so restive under his leadership, (hitherto one of agitation,) and which had never led them into power, or secured to them the emoluments of place, so intensely sighed for by the Canadian professional politician, who had so recently tried to stand without him and failed; these friends must now bend to him as the true master of the situation after all, and virtually admit his policy to have been all along that which the country really required.

The negotiations, which now ensued between the rival political leaders, speedily resulted in a satisfactory understanding, based upon a project of confederation of all the British North-American provinces, on the federal principle, and leaving to each province the settlement, by local legislation, of its own municipal and peculiar affairs. In order to insure the satisfactory arrangement of all the details of the project, Mr Brown was to have three seats in the Cabinet placed at his disposal. He accordingly became President of the Council; William M'Dougall, Provincial Secretary; and Oliver Mowatt, Postmaster-General. Thus a strong coalition government was formed to carry out the newly-accepted policy of confederation, and although extreme parties, here and there, grumbled at these arrangements, the great body of the people, of all shades of opinion, thankful that the dangerous crisis had been safely passed, gladly accepted the situation, and calmly and confidently awaited the progress of events. Never before had a coalition been more opportune. It rendered the government of the country again respectable, elevated it above the accidents of faction, and enabled it to wield the administrative power with that firmness and decision, so requisite during the trying and critical period which speedily ensued. It would indeed seem, as if a special Providence was controlling matters for its own wise purposes, and evoking results from the ambitions and passions of partisan leaders, directly tending to elevate this country to a position of greater eminence, and to increased usefulness among the nations. The curtain fell on the parliamentary drama on the 30th of June. But faction, even yet, was not wholly extinct, and soon found a prominent exponent in Matthew Crooks Cameron, who now contested North Ontario with Secretary M'Dougall, and beat him by one hundred votes. The latter was not, however, left without a seat in the Legislature. He was subsequently returned by the thoughtful Scotch settlers of North Lanark, who gave him a large majority over a Mr Rosamond, and

whose father, an Irish Conservative of the straitest school, showed his appreciation of the coalition, by voting for the Secretary, and against his own son.

Very speedily did the progress of events develop the necessity of a strong government. Hitherto the long frontier of Canada had been wrapt in the most profound quiet; and while this country afforded a ready and safe asylum to Southern refugees, no obstacles were thrown in the way of the North in the purchase of remounts for its cavalry, and of other supplies. Nor unless in very glaring cases, which could not possibly be overlooked, were any active steps taken to prevent recruits for its armies from passing out of Canada in no inconsiderable numbers. But this condition of affairs was now about to be very materially altered. Sorely pressed in all their coasts, without the remotest prospect of European intervention in their behalf, the Confederate authorities essayed, in the month of September, to effect a diversion in their favour from the Canadian frontier—to menace the defenceless borders of the Northern States, and thus, if possible, to cause a war between them and Great Britain. In pursuance of this policy, two American steamboats, the *Philo Parsons* and *Island Queen* were seized on Lake Erie by Confederate desperadoes, some of whom had been refugees in this country, with the immediate design of releasing a number of Southern prisoners, confined on Johnson's Island, and of destroying the lake shipping. But beyond the seizure of these steamboats, their partial plunder, and the great alarm occasioned for the moment, no other injury was inflicted. Scarcely, however, had the excitement which these acts produced died away when, on the 19th of October, a body of twenty-three Southern refugees made a raid on the little Vermont town of St Alban's, close to the Canadian frontier; shot an American citizen there, robbed its banks of \$233,000 in current funds, and then hastily retreated across the border. The Canadian authorities promptly arrested fourteen of these marauders, and who were committed for safe keeping to the Montreal jail. Nevertheless, our relations with the United States were now much disturbed, and it became necessary to incur a large outlay, in policing the frontier with thirty volunteer companies, to prevent the recurrence of further raids of a similar character. It was also deemed expedient to pass a stringent act for the prevention of outrages on the borders, and to enable the Governor-General to order disorderly aliens to leave the province, or, in case of their refusal to do so, to commit them to prison during pleasure.

These unpleasant circumstances, and others of a kindred charac-

ter, caused the Canadian people to long earnestly for the conclusion of the war. But the re-election of Lincoln to the Presidency in November plainly established that the Northern people had determined to prolong the struggle, until the total subjugation of the South ensued. A great change had taken place in the sentiments of the Northern States, during the progress of the war. At first the preservation of the Union, without any reference to slavery, was the sole object aimed at. But rendered desperate by repeated defeat and disaster, and coming to regard slavery as the true cause of all their difficulties, its total extinction was finally aimed at; and to this task, by the re-election of Lincoln, did the Northern people apply themselves. On the other hand, the South was equally resolute in the preservation of slavery, and in founding an empire having that institution for its basis. So the struggle must be prolonged until the total defeat of one or the other of the belligerents, and it only remained for Canadians to fold their arms and look patiently on. Meanwhile the bitter feelings, provoked by the Lake Erie outrage, and the St Alban's raid, as well as by the expression of sympathy for the South on the part of many of the Canadian journals, reacted most unfavourably on this country, and materially tended, in conjunction with other adverse causes, to the speedy abrogation of the Reciprocity Treaty. The hurried and indecent discharge of the St Alban's raiders, by Judge Coursol, of Montreal, in December, and the illegal surrender to them of \$90,000 of the stolen money, (which the Government had subsequently to repay,) by the police-chief of that city, still further complicated matters, and intensified the unpleasant relations now subsisting with the United States.

While these events were transpiring in this country, the project of a confederation of the North American provinces had attracted the attention of many of the leading minds of England, and was very generally regarded as the true mode of escape from the difficulties which now enveloped Canada, both as regarded the question of defence, looming up at this juncture into great importance, and the legislative situation. The idea of a union between themselves had already been agitated in the maritime provinces, and a meeting held during the summer to arrange the preliminaries, was informally attended by a portion of the Canadian Cabinet. At their suggestion an enlarged project of confederation, which, under the pressure of circumstances, speedily assumed a tangible shape, was readily entertained. The Governor-General opened the preliminary negotiations with the several Lieutenant-Governors, and on the 4th of October thirty-three representatives, of all shades of politics, from

the various British North-American provinces, assembled in council at Quebec, to arrange the terms of the proposed union. They proceeded to business methodically and cautiously, the representatives of each province having a close eye to its local benefits, and seeking to place its peculiar advantages in the best possible light. Canadians pointed to their vast territorial area, their national wealth, and their important population, as their contributions to the proposed state; while the maritime provinces plumed themselves on their noble harbours, their great merchant fleets, and their foreign commerce. In addition, Newfoundlanders set forth the value of their fisheries and their mines; New Brunswickers pointed to the vigorous and growing trade they would bring into the partnership; Nova Scotians alluded complacently to their vast coal fields; while Prince Edward Islanders coquettishly asserted their claims to consideration, as representing the Isle of Wight of British North America. Gradually difficulties were smoothed down, local pretensions regulated, a harmonious basis of action settled upon, and resolutions adopted, on which subsequently the Imperial Act of Confederation was based.

## CHAPTER XXVII.

GOVERNMENT OF LORD MONCK,—*continued.*

PARLIAMENT met at Quebec on the 19th of January. The Governor-General's speech congratulated the chambers on the "general contentment and prosperity of the people of the province, and the continuance of the inestimable blessings of peace." He alluded also to the outrages on the American frontier, the perpetrators of which had sought refuge in Canada, rendering a detective police system necessary; to the calling out a portion of the volunteer force and its prompt response; and asked for larger powers to deal with persons who violated the right of asylum in this country. The progress of confederation was briefly yet pointedly limned out, and the Legislature informed that her Majesty's Secretary of State was prepared to introduce a measure into the Imperial Parliament, to give effect to the Acts of Union which might be passed by the different local legislatures. It remained with the public men of British North America to say, whether the vast tract of country which they inhabited should be consolidated into a state, combining within its area all the elements of national greatness, providing for the security of its component parts, and contributing to the strength and stability of the empire; or whether the several provinces of which it was constituted, should remain in their present fragmentary and isolated condition, comparatively powerless for mutual aid, and incapable of undertaking their proper share of imperial responsibility. His Excellency closed his speech by fervently praying, that in the discussion of an issue of such moment, their minds might be guided to such conclusions as would redound to the honour of their Sovereign, the welfare of her subjects, and their own reputation as patriots and statesmen.

On the 23d, the Assembly proceeded to take into consideration the address in reply, when two Lower Canadians, Dorion, of Hochelaga, and Laframboise, moved in amendment thereto, that

the House did not desire to disturb existing political relations, nor to create a new nationality. Only four Upper Canadians supported this amendment, and the number in favour of which was twenty-five in all, while sixty-four voted against it. On the 12th paragraph of the address, asserting the feasibility and desirability of union, being put to vote, there were seventy yeas and only seventeen nays, not one member of British origin being among the latter. Another division followed with like result; and the same day the address was fully concurred in. What a profound relief was this from the wearisome partisan debates, which had of late years characterised the moving of addresses! So far as Canada was concerned, confederation was now an accomplished fact; and the subsequent long debates on this question, which distinguished this session, were mere matters of form, and designed to give members an opportunity of expressing their individual opinions relative thereto, to be recorded in a "blue book" of one thousand and thirty-two octavo pages, of little value to the historian, and no small expense to the country. The question was finally disposed of by a motion asking an imperial measure of confederation, and which the House endorsed by a vote of ninety-one to thirty-three. On the 18th of March, the necessary business having all been completed, Parliament was prorogued, and ministers hastened to put themselves into communication with the Home Government, by a deputation, on the matter of confederation.

While a revolution, rendered necessary by the course of events and national progress, was thus being peacefully accomplished in Canada, in accordance with the expansive character of the *unwritten* British constitution, the dark drama of blood destined to reconstruct the *written* constitution of the United States, with slavery for ever blotted out from their escutcheon, was rapidly drawing to a close. Before Petersburg the silent and inflexible Grant still patiently marshalled his legions waiting for the long-looked-for opportunity to crush the gallant army of Lee, and whose distant rear was already threatened by the victorious forces of Sherman, sweeping down in a desolating current, forty miles in width, through the very heart of the South. In the last days of March, the western army of invasion was not two hundred miles from Richmond, and the dark shadow of final defeat was already settling down on the slave empire of the Confederate States. The sunshine of spring had no ray of hope for the Southern oligarchs, and the people of Canada watched with the most intense interest for the final catastrophe. The city of Washington now no longer feared invasion, and while the South grew weaker and weaker in the final struggle, and the perspiration of blood coursed down her

limbs, as she saw the sword suspended above her head about to descend, a brilliant audience assembled in the capital, on the 14th of April, at Ford's theatre, to witness a comedy, as if in very mockery of her woe. Flags gaily decorated the President's box, brilliant gasaliers flashed their lights on the beauty of the licentious metropolis, and a sea of delighted upturned faces in the pit met the eye from the glittering dress circle above. The curtain rises for the third act, the play pauses for a moment, there is a pistol shot, the assassin Booth leaps upon the stage with a long dagger in his hand, and shouting *Sic semper tyrannis*, the motto of the state of Virginia, disappeared at the back of the stage. A woman's wailing cry now fell painfully on the ears of the vast audience, and it was speedily ascertained that her husband, the honest and genial Abraham Lincoln, had been foully murdered, and that the second term of his presidency had already terminated. A profound thrill of horror coursed through the veins of the Canadian people, as the telegraph flashed the news of the dark deed throughout the length and breadth of the land. And public meetings were held in every direction, at which motions were passed deprecating the assassination, and expressing the most profound sympathy for the people of the Northern States. Lincoln dead ; Lee defeated, crushed ; Johnston surrendered ; the empire of the South lay in broken fragments in the dust. Cotton was no longer king, and the fetters had fallen from the slave. What a commentary on human hopes and expectations ! History had again repeated itself, and in our own times demonstrated, that national sins beget national punishments, a lesson it had already so frequently taught. The Upas tree of slavery, planted by British cupidity in the early days of the old thirteen colonies, and so lovingly watered at a later period by the United States themselves, had blossomed and grown, until its prodigious size extended over millions of human chattels, and involved commercial and political interests of the most gigantic proportions. Its branches spread over the South in all directions, while its odour permeated every corner of the North, floated heavily through the warehouses and along the massive quays of Liverpool, and tainted the atmosphere of the cotton mills of Manchester. No wonder, then, that the slave nobles fancied that cotton was indeed king, and that their cause was invincible. Spurning the numerical supremacy of the North, which had at last dared to assert itself politically, in the election of the obscure Illinois lawyer, Lincoln, to the presidential chair, they rushed into war in 1861 to found a slave empire, and thus presented, of themselves, the solution of that question of perpetual involuntary servitude, which men had so long regarded as utterly

hopeless. And thus did the Wise Disposer of human events "make even the wrath of man to praise Him." The national sin had indeed brought down the national punishment. It has hopelessly ruined the South, it has placed a huge burden of national debt on a hitherto almost untaxed people, and Liverpool and Manchester, the great marts of its products, partook of its bitter tribulation. Nor has the fierce struggle it produced been wholly terminated as we write. It has been transferred from the battle-field to the forum—from the sword to the pen, and intensely bitter are the passions and the animosities it still evokes. The South is conquered, but not pacified.

From the imposing historical events transpiring in a neighbouring country, we now turn to contemplate the comparatively quiet current of Canadian affairs. Midsummer brought with it sad misfortune for the ancient city of Quebec. Its narrow streets and frequently recurring wooden buildings, had repeatedly made it the scene of terrible fires, and on the 23d of June a new conflagration rendered three thousand people homeless, and destroyed property to the extent of \$1,000,000. For the last time the Legislature of United Canada assembled there, on the 8th of August, to hear the report of the deputation to England relative to confederation, and to complete the important business left unfinished at its last session. The Premier, Sir E. P. Tache, had died a few days before, and Sir Narcisse Belleau, a member of the Upper House, became his successor; so the public business moved tranquilly forward. The session was an unusually short one, the large majority now wielded by ministers enabling them to push their measures through the House very quickly. Beyond the act imposing a stamp-duty on notes and bills, it developed no very novel feature in legislation, and was chiefly distinguished for the large number of private measures that was enacted. The despatches and papers laid before the Chamber stated the willingness of the Home Government to aid in forwarding confederation, and that it had already instructed the British Minister at Washington, Sir Frederick Bruce, to give all practicable assistance to the Canadian Cabinet to procure the renewal of the Reciprocity Treaty, which must expire in the ensuing month of March. The death of the Imperial Premier, Lord Palmerston, in October, produced no alteration as regarded Canadian affairs, and the policy of his Cabinet touching them was fully adopted by its successor. Towards the latter part of the year, the removal at length of the seat of government to Ottawa, and the rumours of a Fenian invasion from the United States, were the only events of note.



In the beginning of January, Mr Brown resigned his seat in the Cabinet, in consequence of a disagreement between his colleagues and himself, on the mode of procuring a continuance of the Reciprocity Treaty. In order to secure that certainly most desirable result, the whole of the Cabinet, with one exception, were in favour of making a good many concessions to the United States, and of accepting legislative, if treaty reciprocity could not be procured. Mr Brown, on the other hand, would not agree to accept legislative reciprocity, which might be terminated at any moment by a vote of Congress ; and was opposed to the making, in the premises, what he deemed to be unnecessary concessions. Finding himself thus at issue with all his colleagues, he accordingly resigned ; and Ferguson Blair, a Reform member of the Upper House, for the Brock Division, became his successor. But, as it soon became perfectly plain, that neither the American Government nor Congress would agree to a renewal of the treaty in any shape in which it could at all be accepted by Canada, many persons, among whom were the great majority of his own political friends, doubted the wisdom of Mr Brown's resignation, and considered that he should have remained in the Cabinet until confederation, the purpose for which he had entered it, had been fully accomplished.

As the period drew near for the termination of the Reciprocity Treaty, Canada presented a most unusual spectacle. American dealers in farm stock and produce spread themselves in every direction over the country, already largely denuded of saleable articles, and purchased everything buyable. The various international ferries were choked up continually with vast droves of cattle, sheep, and horses, as though a hostile army had harried all Canada ; while the conveying capacity of the railways, in every direction, was taxed to its utmost limits to meet the needs of produce buyers at this juncture. Under the provisions of the Reciprocity Treaty, the international commerce between the United States and this country had swelled to the enormous sum of \$70,000,000 per annum. Its termination produced a great disturbance of trade, and the New England States, now so accustomed to the cheap markets of Canada, lying almost at their doors, were largely the sufferers, and had to look elsewhere for supplies for their manufacturing population. The brewers of New York and Pennsylvania experienced the greatest inconvenience in having their supplies of Canadian barley cut off, while woollen and worsted manufacturers found it utterly impossible to replace the long staple they had hitherto drawn so abundantly from this country ; and railway companies and produce merchants

bewailed the loss of a profitable and growing tributary commerce. Never before were the calculations of American politicians so thoroughly at fault. They had vainly supposed that Canada could not possibly survive the loss of reciprocity, that its abrogation must hasten annexation to the United States, hoped in this way to rid themselves of an independent and lightly-taxed country, lying continuous with their northern frontier for many hundreds of miles, and never once imagined they were about to seriously injure themselves. And, yet, it so turned out that the termination of the Reciprocity Treaty was much more detrimental to the United States than to Canada. Here its loss was much less sensibly felt than could have been supposed possible even by the most sanguine, and scarcely raised an adverse ripple on the current of our prosperity. Its operations had already swept away all surplus farm stock, trenched largely even upon necessary animals, enriched the country, and placed it in an admirable position to start forward on its own account. Instead of being tributaries and customers of the United States, the Canadians would henceforth be competitors; and the loss of reciprocity, while it greatly tended to stimulate confederation, led the commercial men of this country to push their trade far outside its accustomed limits, and rendered the prospect of annexation infinitely more remote than it ever was before. Nor did its loss diminish very materially, if at all, the demand for the products of the forest, one of the great staples of this country; and the immediate advance in the price of sawn timber was quite equal to the duty imposed by the United States' tariff.

The calmness with which the people of Canada regarded the abrogation of the Reciprocity Treaty, puzzled not a little some of the leading politicians of the United States, who had so vainly fancied that it must lead them to clamour for a union with themselves. But, having so totally failed in this direction, they did not hesitate to resort to more questionable means to accomplish their purpose; and to this policy, as well as to the desire to secure the Irish vote, may now be traced the countenance so openly given to the Fenian associations in many of the principal towns in the Northern States. The readiness with which military supplies of all descriptions were procured, and the large numbers of this society, which made no secret of its hostile intentions, led many Americans to indulge in the chimerical idea that it was equal to the conquest of this country, or at least to so harass its people, that they would hasten to seek repose under the flag of the United States. Early in March the plan of Sweeny, the Fenian generalissimo, was published. It was based on

a series of combined movements, and the 17th of March, St Patrick's day, designated as the time when hostile operations would commence. The Canadian Government at once responded to the threat of invasion by calling out ten thousand volunteers, our citizen soldiers, and never was a call more promptly met. In less than twenty-four hours fourteen thousand men sprang to arms to defend their country. It was a gallant spectacle, the best possible answer to the sneers of those who would depreciate the military spirit of Canada, and raised it greatly in the estimation of the mother-land. But the 17th of March passed away, no Fenian advance took place, and the proposed invasion exhausted itself in the month of April, in a silly demonstration by a few badly-armed men, of the O'Mahony faction, against the New Brunswick frontier. In the middle of May, all danger having apparently passed away, several of the volunteer corps, called out for active duty, were permitted to return home.

As summer advanced, it became evident that the Fenian organisation in the United States was of much larger proportions than had been deemed possible. It was divided into two sections. One of these, led by O'Mahony and Stephens, made Ireland the sole objective point of its preparations; the other, and much the more formidable, led by Roberts and Sweeny, proposed to conquer Canada in the first place, and make it the base of subsequent operations against Great Britain. However chimerical this project might be, it found no small favour among public men in the United States, and both the Republican and Democratic parties, from President Johnson downwards, coquetted with the Fenian leaders, in order to secure the Irish electoral vote. Hitherto that vote had almost invariably gone with the Democratic or pro-slavery party; but the Republican leaders now boldly and shamelessly bid for it, and hoped, by a *quasi* countenance of Fenian operations, to effect their object. An indistinct idea was also entertained by them, that possibly this course might ultimately promote, in some way, the union of Canada with the United States, obliterate the Alabama claims, and gratify their dislike of Great Britain, intensified by the aid and sympathy extended by so many of its subjects to the South during the war. Under these circumstances, the Fenian leaders were permitted, almost without restraint, to make hostile preparations. Fenian circles, or societies, were numerous in all the cities and towns of the United States, and formed the media through which arms and munitions of war, now so cheap and abundant, and money were collected. Aspiring politicians, and other sympathisers, contributed large sums to the invasion fund, while a number of discip-

lined men, discharged from the American army, without settled employment, and unfitted for the ordinary routine of civil life by their military antecedents, were only too ready to engage in any enterprise that presented a prospect of pay and plunder. Nor were experienced leaders wanting to direct this dangerous class of men in their designs upon Canada. Sweeny, an officer of some skill, had resigned his commission in the American regular service to take the supreme control, and with him were associated a number of well-trained military men, who had held commands, either at the North or South, during the late war.

About the middle of May, and with the expectation of being joined by many presumed disaffected Canadians, the Fenian leaders commenced to make preparations, on a large scale, for a descent on this country. Three lines of operations had been determined on : one from Chicago and other western cities, on the Lake Huron coast ; another from Buffalo and Rochester, across the Niagara frontier ; and a third, and the most formidable of all, from the cities of the Atlantic sea-board, to organise in the vicinity of Ogdensburg. The force to assemble at the latter point was destined to menace Ottawa, only fifty miles distant, to capture Prescott, and operate along the exposed frontier in the direction of the eastern townships. But this system of combined attack was beyond the capacity of the Fenian resources. It rendered necessary a simultaneous movement of their different columns of invasion, and a failure in this respect must largely tend to neutralise every prospect of ultimate success. A few gunboats on the lakes and rivers would have been invaluable at this juncture ; but, through the remissness of the Home and Colonial authorities, these had not been provided. Nor for some cause were adequate preparations adopted to resist the attack which, during the last week in May, it was quite evident would shortly be made. The city of Buffalo, situated at the foot of Lake Erie, now swarmed with Fenian bands, which had collected from all quarters. Before daylight on Friday the 1st of June, a body of these, about twelve hundred strong, under the command of General O'Neil, crossed at Blackrock, three miles down the Niagara River, at this point about half a mile wide, and established themselves unopposed on Canadian soil. Their first step was to take possession of the ruins of Fort Erie, a short distance above their point of landing, and of the depôt of the Buffalo and Lake Huron Railway close by, but fortunately not before all the rolling stock had been safely removed. Beyond taking all the provisions and horses they could lay hands on, no violence was offered to the inhabitants, and in some instances guards were

furnished by order of O'Neil for their special protection. During the day an American war vessel, the *Michigan*, patrolled the river with the ostensible object of preventing the crossing of reinforcements. Small boats, nevertheless, plied back and forth continually, conveying not only supplies, but recruits to the Fenian camp, no hindrance of any consequence being attempted. But whatever might have been the expectations of the Fenians as to a Canadian rising in their favour, they were almost wholly disappointed. Not half a dozen of the inhabitants joined them altogether; and their only hope of aid lay in reinforcements from the American side of the river, which reached them during the day to the extent of some three hundred men. On Saturday morning, O'Neil made a reconnaissance, in force, down the Niagara, to conceal his true objective point. Then, rapidly retracing his steps, he left a guard at Fort Erie, to preserve his communication with Buffalo, and moving in the direction of the Welland Canal, for about ten miles, took up a position in an elevated woodland, termed Limeridge, where a temporary breastwork was at once constructed.

Meanwhile, the Canadian military authorities had been actively engaged in making preparations to drive this dangerous band of marauders from our soil. Volunteer corps were called out in every direction, and General Napier, commanding the Western District, instructed to adopt any measures he deemed necessary. During Friday the Queen's Own, a Toronto volunteer corps, composed of college students and other patriotic young men of that city, the 13th Hamilton Volunteers, and the York and Caledonia Volunteer companies, in all not quite nine hundred strong, and commanded by Lieutenant-Colonel Booker, a volunteer officer of no experience, were despatched to Port Colborne, at the Lake Erie entrance of the Welland Canal, to cover that important work. Late on Friday evening, a column of eighteen hundred troops, composed of seven hundred and fifty regulars, and the rest of volunteers, with a battery of artillery, all under the command of Colonel Peacock, took post two miles above Niagara Falls, at the classic village of Chippewa. On Saturday morning very little was known about the whereabouts of the enemy, no proper system of scouts having been organised. O'Neil was still supposed to be in the vicinity of Fort Erie, and the design was that Booker's force should unite with that under Peacock, and attack him there. In pursuance of this plan, Booker moved downwards from Port Colborne, at an early hour, six miles by railway and three on foot, and at nine A.M. unexpectedly encountered O'Neil's outposts at Limeridge. Had he

been an officer of experience, he would have now withdrawn his force leisurely, and communicated with Peacock ; but instead of doing this, the Queen's Own were thrown forward in skirmishing order, and very quickly and gallantly drove back the advanced line of O'Neil on his main body. Had this advance been properly supported, and the whole force, new to the battle-field as it was, been handled with skill, the enemy would unquestionably have been beaten ; but, just at the critical moment, an improper order to form square, produced by the sight of a few mounted Fenians, led to immediate confusion, increased by some of the advanced skirmish line getting out of ammunition, and retiring on their supports. The panic so common to raw and badly-led troops now ensued, and the whole force was speedily in full retreat. The loss of the volunteers in this action was one officer and six men killed, and four officers and nineteen men wounded, some quite dangerously. The Fenian loss has never been correctly ascertained, as the possession of the battle-field enabled them to bury their dead without notice, but it was certainly larger than that of the volunteers.

O'Neil had not the heart to pursue this temporary advantage, and commenced, soon after the action, a retreat on Fort Erie. He arrived there, about two P.M., to find the post in possession of a force of seventy volunteers, under the command of Lieutenant-Colonel Dennis, who had meanwhile arrived in a tug-boat from Port Colborne, and captured sixty prisoners, whom he stowed away in the hold of the vessel. The tug-boat had also rendered efficient service in patrolling the river. A brief action immediately ensued, which necessarily ended disastrously for the little body of volunteers, thirteen of whom were wounded, some badly, and forty made prisoners. But they fought stoutly, and inflicted a loss on the enemy of five killed, and quite a number wounded.

Worn out with marching and fighting, the Fenians began to understand that campaigning in Canada was not the holiday affair they had anticipated ; and after night had set in, many of them stole down to the river, and crossed to the American shore in small boats. Meanwhile, their friends in Buffalo were making the most strenuous exertions to reinforce them ; and towards midnight a tug towing two canal-boats, laden with four hundred well-armed men, and abundant supplies, left the harbour for Fort Erie, while the lower part of the city swarmed with armed sympathisers, and the American authorities were powerless to interfere. But O'Neil and his officers had already given up every hope of success, and all they now desired was to escape in safety from the attack which

daylight must bring with it from Peacock's column, lying on its arms a few miles distant. A small boat carried the order from O'Neil to the officer commanding the reinforcements, to return to Buffalo, and to send the tug and canal-boats to take off his force from Fort Erie. This order reached the reinforcing party when about midway in the river, was obeyed, and shortly after one o'clock on the morning of Sunday the 3d, the bulk of the Fenian force, to the number of fully nine hundred, without even drawing in their pickets, stole on board the boats sent for them, and were speedily on their way to the American shore. Before they could land, however, they were intercepted by the United States' armed propeller *Harrison*, compelled to surrender, and were soon anchored under the guns of the war-steamer *Michigan*. The rest of the Fenians endeavoured to cross as best they could, some even, in their extremity, pulling the planks from the wharves, and pushing out into the current upon them. Many also escaped in small boats sent over by their friends, while the remainder, who were probably about two hundred in number, hid themselves in the vicinity, or skulked off into the bush. The prisoners they had captured were all abandoned at Fort Erie, as well as most of their dead and wounded; and when Colonel Peacock came up on Sunday morning, he found he had nothing to do beyond arresting the straggling Fenians still lingering in the neighbourhood, and who were sent to Toronto Jail. And thus ingloriously terminated the Fenian invasion of the Niagara frontier. Their New York leaders sought to conceal their chagrin at its ill success by describing it as a mere feint, designed to cover a more important attack to be made elsewhere.

During the earlier part of the ensuing week, the American railways leading to Ogdensburg, were freighted with large bodies of men for the attack on Prescott and subsequent advance to Ottawa. But the rapid massing of over two thousand volunteers and regulars at the point menaced, and the placing of a British gunboat in the river, completely frustrated their projects. The Fenians now moved downwards to Malone, as if an attack on Cornwall was contemplated; but a garrison there of three thousand troops and volunteers, led them to abandon their designs against this point also. On the 5th, fully five thousand Fenians had congregated on the borders of the eastern townships,—a flourishing section of country, with nothing but a surveyed line between it and the United States. But their period of unrestricted action had now passed away. The President could no longer ignore the representations of the British minister at Washington, nor shut his eyes to the fact that war was

being made on a friendly country from the United States, and issued a proclamation calling on the Fenians to disperse, and commit no overt acts; while General Meade, an honest and capable officer, was ordered to arrest their leaders and seize their supplies. In pursuance of this order, he speedily captured a large amount of arms and ammunition, which arrived by railway at Ogdensburg, and prevented the passage north of further reinforcements. On the 8th, however, a body of Fenians, two thousand strong, under the command of General Spear, crossed the frontier near St Albans, and marched three miles into the interior. There they formed a sort of camp, and from whence they spread out over the country, plundering every description of property which could possibly be of any use to them. But the advance of troops against them caused them to retreat across the border, where Spear and other leaders were arrested by General Meade, and the masses of mischievous men rapidly dispersed, the American government granting them free conveyance home on the different railway lines. Thus terminated the Fenian invasion of the Canadian frontier. The actual injury to property it produced was not of much account, but the indirect loss sustained by this country—forty thousand volunteers being at one period under arms—was very considerable. No new Fenian attempts were made against Canada. During the summer, gun-boats guarded the lake and river approaches; and troops and volunteers stationed at every assailable point, demonstrated the folly of further efforts at invasion. Canada bewailed the death of her college youths and young men of Toronto. But their blood was not shed in vain. It speedily bore fruit; and, in connexion with the gallant manner in which a great volunteer force had sprung to arms, raised this country in the opinion of the world, and greatly stimulated the project of confederation. Deeply were the Canadians incensed at the wanton invasion of their borders, and the expense and annoyance they had been put to; and the public voice now loudly demanded that the captured Fenians should receive the most extreme punishment the law could award them.

Meanwhile, on the 8th of June, the Legislature had assembled at Ottawa in the new parliament buildings. In his opening speech, the Governor-General set forth, that immediately after the termination of the last session he had, under instructions from the Home Government, convened a Council of Trade, which included representatives from the different provinces of British North America, and the proceedings of which would be laid before them. He urged that the termination of the Reciprocity Treaty with the United States



rendered it necessary to seek new avenues of trade ; and stated that, with the consent of the imperial authorities, he had sent a deputation to the West Indies and Brazil, to ascertain the best mode of developing and extending commercial relations with those countries. The Fenian attack was also alluded to by his Excellency, and while he deplored the loss of life it caused, he paid a well-merited tribute to the prompt and gallant spirit evinced by the volunteers of the country. To repress further outrages, and to enable improper persons to be summarily dealt with, he asked that the writ of *Habeas Corpus* be temporarily suspended. And while he congratulated the Chambers on the prosperity of the country, he informed them that the revenue of the past year had been largely in excess of the estimates, and had enabled him, without inconvenience, to provide for the heavy and unlooked-for expenditure entailed by the Fenian outrages.

The abrogation of the Reciprocity Treaty rendered a new tariff a necessity, and Mr Galt now introduced a bill into the Assembly embodying the desired alterations. It reduced the duty on the great bulk of imported goods five per cent., leaving the maximum rate fifteen per cent., admitted articles which entered largely into the manufactures of the country free, and provided for the deficiency thus produced by increasing the impost on whisky thirty cents a gallon. While this tariff was a sensible relief to importers of foreign goods, it largely stimulated the manufactures of the country ; and, with a few isolated interests excepted, gave very general satisfaction. Several other important measures became law during this session. The writ of *Habeas Corpus* was suspended for one year, the assessment law of Upper Canada amended, and its municipal law subjected to very important modifications, which raised the franchise in towns, and effected other improvements well received by all classes. On the 3d of July, ministers introduced resolutions into the Legislature defining the Constitutions of Upper and Lower Canada, respectively, under the proposed measure of confederation, and which were all subsequently embodied in the imperial bill. These proceedings were uneasily regarded by some of the leading politicians of the United States, who strongly deprecated the creation of a united power on their northern frontier, and an attempt was now made to sow the seeds of discord by the introduction of a bill into Congress, which provided for the admission of British North America into the American Union as four separate states, and the assumption of their public debt by the general Government. This bill was read twice and referred to the Committee on Foreign Affairs. It totally failed,

however, of its object. The day for annexation had for ever departed, and Mr Banks' congressional bill, already described, was regarded by the Canadian people with the most supreme indifference and contempt, and as an insolent interference with the affairs of an independent country. Early in August Mr Galt resigned, owing to complications which arose in connexion with a school bill, giving larger privileges to the Protestant minority of Lower Canada. It failed to pass, and Mr Galt, as representing that minority, deeming it treated with injustice, unexpectedly resigned, although avowing himself still prepared to support the general policy of the Government. On the 15th of August, the Cabinet having carried all its measures with large majorities, and the public business having been fully completed, Parliament was prorogued.

Towards the close of summer a most disastrous fire occurred at Quebec, by which all of the St Roch suburb and also much of the St Saviour were burned down. Only a few buildings were left standing in a district a mile long by about half a mile wide, two thousand one hundred and nineteen houses, mostly belonging to the poorer classes, were destroyed, and over twenty thousand people left homeless. Great exertions were made for the relief of the sufferers in Canada, and large contributions were also made for the same object by the benevolent in the mother-country. But Quebec is not at all likely to recover from this disaster. Its commerce had already largely declined, and the scattering of its population, which now ensued, accelerated the decay which had so surely seized upon this ancient city. The Fenian trials took place at the October term at Toronto, when many of the prisoners were discharged, the grand jury ignoring the bills against them. True bills, however, were found against a large number, several of whom were convicted and sentenced to death, but had their sentences afterwards commuted by the Queen to a period of imprisonment in the provincial penitentiary. The calm and firm attitude of our courts of justice during these trials, and the punctilious observance of every form of civil law, constituted the best rebuke to the American politicians, from Seward downwards, who, by an indecent sympathy or interference on behalf of the criminals, pandered to their partizans with the view of securing their electoral support.

Meanwhile, the great project of confederation continued to progress towards final consummation. The Legislatures of New Brunswick and Nova Scotia had already passed resolutions adopting the scheme, as did also the Legislature of Newfoundland. But, as regarded the latter, no steps were taken subsequently to carry

them into practical effect ; while the little Island of Prince Edward repudiated the action of its delegates at Quebec, and wholly declined to become a part of the proposed confederacy. All the necessary preliminaries having been disposed of, delegates from the provinces of Canada, Nova Scotia, and New Brunswick assembled at London, on the 4th of December, to arrange the final terms of the Act of Union to be submitted to the Imperial Parliament. Every question at issue having been satisfactorily adjusted, the Colonial Secretary, the Earl of Caernarvon, introduced, on the 7th of February, 1867, the Confederation Bill into the House of Lords. On the 19th, it had its second reading ; on the 22d, it passed through committee ; and on the 26th, was read a third time, and sent down to the Commons. It was read a second time there on the 28th of February, and after a brief yet interesting debate, the measure was agreed to without a division. It passed through committee of the whole on the 4th of March, the proposed guarantee for an intercolonial railway loan being alone objected to, but not pressed to a vote. On the 8th, it was read a third time, and finally passed without debate. On the 12th, a few judicious amendments, made by the Commons, were agreed to by the Lords ; and on the 28th, it received the royal assent, and became the law of the empire. On the following day, Mr Adderley introduced a bill into the Commons, to guarantee a loan of £3,000,000 sterling for the intercolonial railway, which was accepted by an overwhelming majority, and also duly passed in the House of Lords. On the 22d of May, the work of legislation having been fully completed, and all the other arrangements made, her Majesty was pleased to issue her royal proclamation, appointing the 1st of July as the day on which the Dominion of Canada should commence its existence, and nominating its seventy-two senators. The great project of confederation was at length finally and happily completed, and the morning voice of a new people was heard among the nations of the earth.

## CHAPTER XXVIII.

### THE DOMINION OF CANADA.

THE life of a single man will fully bridge the existence of Upper Canada, or, as it is now termed under the Confederation Act, the Province of Ontario. Eighty-three years ago its broad expanse was one interminable wilderness, covered in every direction with dense forests, which sheltered the rich glebe from the hot sunbeams of summer, and the biting winter winds that swept southwards from the frozen deserts towards the pole. At that period the entire European inhabitants of Ontario did not number two thousand souls, and who grouped themselves around the few military and trading posts, and in the French settlement on the Thames, in the Western Peninsula. Oppressed by military rule and feudal laws, the progress of Lower Canada had been slow and painful, and in 1783, after one hundred and eighty years of settlement, its population stood only at one hundred and thirteen thousand. The same causes, to a great extent, prevented the progress of Nova Scotia; while New Brunswick may be regarded as no older than Ontario. At present these four provinces constitute the New Dominion, the progress in population of which may be seen from the following table :—

IN LOWER CANADA—					IN UPPER CANADA—				
1676,	.	.	.	9,000	1782,	.	.	.	10,000
1763,	.	.	.	65,000	1800,	.	.	.	50,000
1783,	.	.	.	115,000	1811,	.	.	.	77,000
1825,	.	.	.	450,000	1825,	.	.	.	158,027
1831,	.	.	.	511,920	1835,	.	.	.	336,469
1844,	.	.	.	690,782	1840,	.	.	.	427,441
1851,	.	.	.	890,261	1851,	.	.	.	952,004
1861,	.	.	.	1,111,566	1861,	.	.	.	1,396,091

IN NOVA SCOTIA—					IN NEW BRUNSWICK—				
1755,	.	.	.	5,000	1785,	.	.	.	6,000
1764,	.	.	.	13,000	1800,	.	.	.	10,000
1784,	.	.	.	32,000	1824,	.	.	.	74,176
1818,	.	.	.	82,053	1834,	.	.	.	119,457
1837,	.	.	.	199,906	1840,	.	.	.	154,000
1851,	.	.	.	276,117	1851,	.	.	.	193,800
1861,	.	.	.	330,857	1861,	.	.	.	252,047

The Census Returns for 1861, for the four provinces, classify the several creeds of the population as follows :—

Church of Rome,	.	.	.	.	1,372,913	44'42
Presbyterians,	.	.	.	.	471,946	15'27
Church of England,	.	.	.	.	465,572	15'06
Methodists,	.	.	.	.	431,924	13'98
Baptists,	.	.	.	.	189,080	6'12
Lutherans,	.	.	.	.	29,651	'96
Congregationalists,	.	.	.	.	17,757	'58
All others,	.	.	.	.	111,718	3'61
Total,	.	.	.	.	3,090,561	100'

The adherents of the Church of Rome were about 85 per cent. of the whole population in Lower Canada ; 34 per cent. in New Brunswick ; 26 per cent. in Nova Scotia ; and 18 per cent. in Upper Canada.

The Presbyterians formed about 27 per cent. of the whole population in Nova Scotia ; 22 per cent. in Upper Canada ; 14 per cent. in New Brunswick ; and 4 per cent. in Lower Canada.

The adherents of the Church of England were about 22 per cent. of the whole population in Upper Canada ; 17 per cent. in New Brunswick ; 14 per cent. in Nova Scotia ; and 6 per cent. in Lower Canada.

The Wesleyan and other Methodists constituted about 25 per cent. of the whole population in Upper Canada ; 10 per cent. in Nova Scotia ; 10 per cent. in New Brunswick ; and 3 per cent. in Lower Canada.

Classified according to occupation, the adult male population of the New Dominion in 1861 stood thus :—

Farmers,	.	.	.	.	.	320,952
Labourers, including lumbermen,	.	.	.	.	.	209,909
Mechanics,	.	.	.	.	.	115,272
Trade and commerce,	.	.	.	.	.	32,619
Mariners and fishermen,	.	.	.	.	.	25,009
Professional men,	.	.	.	.	.	10,119
Miners,	.	.	.	.	.	1,207
Miscellaneous,	.	.	.	.	.	30,543
Total,	.	.	.	.	.	745,630

While each of the provinces furnishes a fair proportion of the members in all the other classes above enumerated, the Province of Nova Scotia has a very marked pre-eminence under the head of "Mariners and Fishermen." Nova Scotia returns 12,977 of that class, or more than one-half of the total number. Lower Canada returns 8,110; New Brunswick, 2,765; and Upper Canada, 1,157.

In Upper Canada in 1861, there were—Natives of the Provinces, 911,963; of England and Wales, 114,914; of Ireland, 191,431; of Scotland, 98,892; of Foreign Countries, 78,891. Total, 1,396,091.

In Lower Canada, there were—Natives of the Provinces, 1,017,925; of England and Wales, 13,821; of Ireland, 50,337; of Scotland, 13,204; of Foreign Countries, 16,279. Total, 1,111,566.

In New Brunswick, there were—Natives of the Provinces, 208,166; of England and Wales, 4,909; of Ireland, 30,179; of Scotland, 5,199; of Foreign Countries, 3,594. Total, 252,047.

In Nova Scotia, there were—Natives of the Provinces, 299,335; of England and Wales, 3,188; of Ireland, 9,313; of Scotland, 16,395; of Foreign Countries, 2,626. Total, 330,857.

Summing up these returns, the result is arrived at, that the proportion of different origins is as follows:—

Natives of British America,	.	.	.	79 per cent.
„ Ireland,	.	.	.	9 „
„ England and Wales,	.	.	.	4½ „
„ Scotland,	.	.	.	4½ „
„ Foreign Countries,	.	.	.	3 „
				<hr/>
				100

It will thus be seen that according to the Census Returns of 1861, the population of the four provinces now forming the Dominion of Canada was:—

Upper Canada,	.	.	.	.	.	1,396,091
Lower Canada,	.	.	.	.	.	1,111,566
New Brunswick,	.	.	.	.	.	252,047
Nova Scotia,	.	.	.	.	.	330,857
						<hr/>
Total,	.	.	.	.	.	3,090,561

Since 1861 there can be no doubt that the rate of increase has been fully maintained, and that its entire population is now over 3,750,000 souls.

#### GEOGRAPHICAL EXTENT.

The area of the four provinces, constituting the New Dominion, may be stated as follows:—

	Square Miles.
Ontario, . . . . .	121,260
Quebec, . . . . .	210,020
New Brunswick, . . . . .	27,105
Nova Scotia, . . . . .	18,660
Total, . . . . .	377,045

The province of Ontario exceeds, in its dimensions, those of Great Britain and Ireland, which are 119,924 square miles. The province of Quebec has an area almost equal to that of France, which is 211,852 square miles. Nova Scotia is as large as the kingdom of Greece, and New Brunswick is equal in extent to Denmark and Switzerland combined.

If we add the area of Prince Edward Island, 2,100 square miles ; that of Newfoundland, 40,000 square miles ; that of British Columbia, 200,000 square miles ; and that of the Hudson's Bay and North-West Territories, 2,750,000 square miles—we will have as the total area of the countries, which will probably at no distant day be included in the dominion of Canada, the enormous extent of 3,369,345 square miles—nearly three times the extent of territory embraced in the empire of China, with its four hundred millions of inhabitants, and greater by 400,000 square miles than the whole territory of the United States.

#### MARITIME RESOURCES.

As regards shipping, the dominion of Canada takes a fourth place among the maritime nations of the world. In 1865 the total value of its shipping was estimated at \$11,000,000, the number of vessels and their tonnage are shown by the following table :—

	No.	Tons.
Upper Canada, . . . . .	522	85,440
Lower Canada, . . . . .	1,136	144,989
Nova Scotia, . . . . .	3,898	403,409
New Brunswick, . . . . .	1,019	309,695
Total, . . . . .	6,575	943,533

Altogether a navy of 6,575 steam and sailing vessels, 943,533 tons, and a total value of \$32,844,069.

#### RAILWAY STATISTICS.

Upper and Lower Canada have 2,150 miles of railway—not including length of side tracks, double tracks, &c. The first railway constructed in Canada was from La Prairie on the St Lawrence to St John's on the Richelieu River. This was sixteen miles in length,

was opened as a horse-railway in July 1836, and was first worked with locomotives in 1837. In Upper Canada, in 1834, charters were obtained for a railway from Cobourg to Rice Lake, and for another from London to Hamilton; but the first railway actually built in Upper Canada, was between Queenston and Chippewa, being opened as a horse-railway in 1839. In 1846, the Montreal and Lachine Railway was commenced, and in November 1857 it was opened for traffic.

The Grand Trunk has now a total length of roads constructed under its charter, with those obtained by amalgamation, of 1,377 miles. In 1845, the St Lawrence and Atlantic Company was chartered to construct a railway to connect with the "Atlantic and St Lawrence," an American line from Portland. The St Lawrence and Atlantic road, commencing at Montreal, was opened as far as St Hyacinthe, early in 1847; as far as Sherbrooke in August 1852, and from Sherbrooke to the Province Line, in July 1853. A connecting line from Richmond to Quebec was opened in November 1854, and an extension eastward from Quebec to St Thomas in December 1855. A further extension eastward, as far as Riviere du Loup, was not opened till July 1860. The line from Toronto to Montreal was opened in October 1856, and the extension westward to Sarnia was completed in November 1859. These roads form the Grand Trunk property, which, with the Victoria Bridge and its approaches, has a total length of 872 miles, but, by an extension from Sarnia to Detroit, through the State of Michigan, and the amalgamation of the Buffalo and Goderich, the Montreal and Lake Champlain, and the Montreal and Hemmingford lines, it has now reached the colossal dimensions we have stated.

The first railway in Upper Canada, on which locomotives were used, was the Northern, opened from Toronto to Bradford, in June 1853. In October of the same year, the Northern was opened as far as Barrie, and in January 1855 as far as Collingwood, its northern terminus on Georgian Bay—a distance from Toronto of 96 miles.

The Great Western was opened from Suspension Bridge to Hamilton, in November 1853, and from Hamilton to Windsor, opposite Detroit, in January 1854, with branches to Toronto, Guelph, and Sarnia, subsequently constructed, and has now a total length of 345 miles.

The Province of Canada owns no railroads, but it has made large advances of money on their account, especially to the Grand Trunk. The amounts due by railways to the Government are stated in the public accounts as follows :—



Grand Trunk, . . . . .	\$23,902,403
Great Western, . . . . .	3,727,083
Northern, . . . . .	3,504,527
Total, . . . . .	<u>\$31,134,013</u>

The official reports issued by the auditor give the following particulars with reference to the length of Canadian railways, the cost of their construction and equipment, and their receipts in 1866 :—

	Length in miles.	Cost in dols.	Receipts in 1866. dols.
Great Western, . . . . .	345	23,855,881	3,264,402
Grand Trunk, . . . . .	1,377	80,704,095	6,639,260
Northern, . . . . .	97	5,457,789	512,872
Brockville and Ottawa, . . . . .	86½	2,602,024	111,086
Prescott and Ottawa, . . . . .	54	2,008,994	104,420
Port Hope, Lindsay, and Beaverton, . . . . .	43	1,593,536	108,947
Port Hope and Peterboro, . . . . .	13	400,000	69,565
Cobourg and Peterboro, . . . . .	14	900,000	—
London and Port Stanley, . . . . .	24½	1,032,850	35,490
Welland, . . . . .	25½	1,622,843	106,944
Carillon and Grenville, . . . . .	13	95,077	9,969
St Lawrence and Industrie, . . . . .	12	54,100	6,008
Stanstead, Shefford, and Chambly, . . . . .	44	1,216,000	—
Total, . . . . .	<u>2,148½</u>	<u>121,543,189</u>	<u>10,968,963</u>

The Victoria Bridge, which is an essential part of the railway system of Canada, crosses the St Lawrence at Montreal. It was opened for traffic on the 17th December 1859. Its total length is 9,184 feet. The number of spans is 25 ; 24 of 242 feet ; one of 330 feet. The height from the surface of the water to the under side of the centre tube is 60 feet ; the height from the bed of the river to the top of the centre tube is 108 feet. There are 3,000,000 cubic feet of masonry in the bridge ; and the total cost was about \$7,000,000.

The Nova Scotia railways have been built and are owned by that province. They consist of a trunk line from Halifax, on the Atlantic, by way of Truro, to Pictou, on the Gulf of St Lawrence, with a branch line to Windsor, on the Bay of Fundy. The distance from Halifax to Truro is 60 miles, and from the main line to Windsor, 33 miles. The railways to Truro and Windsor were completed in 1858. The extension to Pictou, built by a Canadian engineer, Mr Sanford Fleming, and 40 miles in length, was opened in June 1866. The contract price for its construction was

\* No returns.

\$2,216,500. The earnings of the lines to Windsor and Truro increased from \$102,877 in 1859, to \$183,954 in 1865. The total cost of their construction was \$4,319,507. The Halifax and Pictou Road will connect with the Intercolonial.

In New Brunswick, the St Andrews and Woodstock, or "New Brunswick and Canada" Railroad, was commenced in 1844, but was not completed till 1862. It is 88 miles in length, and was built at a cost of \$2,750,000. The province owns stock in it, to the amount of \$240,000. The "European and North American" Railway is a public work, owned by the province. It connects the city of St John's, on the Bay of Fundy, with Shediac, on the Gulf of St Lawrence, and has been in operation since 1860. It is 108 miles in length, and cost \$4,747,713. The St Stephens' Branch Railway, 18 miles in length, has also been recently opened.\*

#### PUBLIC DEBT.

No Canadian Blue Book having been issued as yet for the fiscal year ending June 1867, the author cannot give, in the precise figures, the debt of Canada. But, deducting all the proper credits, it could not be less than \$80,000,000. On the 1st July 1866, accordingly, the debt of the Dominion of Canada would approximate to the following figures :—

Canada, . . . . .	\$80,000,000
Nova Scotia, . . . . .	4,858,547
New Brunswick, . . . . .	5,702,991
	<hr/>
	\$90,561,538

The "British America Act" provides that the Dominion of Canada shall be liable for the debts and liabilities of each province existing at the Union; that Ontario and Quebec conjointly shall be liable for the amount by which the debt of Canada exceeds \$62,500,000, and shall pay five per cent. interest thereon; and that New Brunswick and Nova Scotia, on the other hand, shall receive five per cent. interest on the amounts by which their debts fall short of \$8,000,000 and \$7,000,000 respectively. The total debt, therefore, of which the Dominion of Canada assumes the liability, in commencing its existence, may be stated at \$77,500,000—the sum of the foregoing three amounts.

The following table shows the ordinary revenue and expenditure of each province, during the year 1865 :—

\* *Toronto Globe*, 1st July 1867. Eighty years' progress, B. N. A. p. 99.

	Rev.	Ex.
Canada, . . .	\$10,435,259	\$11,534,691
Nova Scotia, . .	1,517,306	1,470,306
New Brunswick, . .	1,070,604	1,168,074
	<hr/> \$13,023,169	<hr/> \$14,173,071 *

THE VOLUNTEER FORCES.

A few years since there was not a single volunteer corps in British North America, while the militia system mainly existed on paper, and the only available force in the event of any necessity, were the regular troops at the various garrison towns. But during the past six years the Canadian volunteer force has swelled to most important dimensions, while statutes have been enacted, which render the organisation of the "Service" Militia a matter of slight difficulty whenever such a step should be required. Several excellent military schools exist, at which cadets are thoroughly instructed in the principles of their profession, and fitted for command in the volunteer force. Every village of any importance in Ontario has its drill-shed, where the youths of the neighbourhood are trained to arms; and in the province of Quebec the military spirit has also been largely developed during the past few years. The returns supplied in 1866, state that the volunteer force of Lower Canada consists of 2 squadrons of cavalry and 4 separate troops; 2 field batteries of artillery; 1 battery and 3 battalions of garrison artillery; 3 companies of engineers; 6 battalions of infantry, and 52 separate companies, now organised into administrative battalions; 7 battalions rifles and 14 separate companies—a force altogether of 10,620 men.

Of the Service Militia, there have been balloted 51 battalions, giving 40,545 men. The whole militia force of Lower Canada is about 170,000.

The volunteer force of Upper Canada consists of 2 squadrons of

\* It may be interesting to place in comparison with the above, a statement of the annual revenue and expenditure of the United States, at different periods in their early history:—

	Rev.	Ex.
1792 . . .	\$8,740,766	\$9,141,569
1795 . . .	9,419,802	10,435,069
1800 . . .	12,451,184	11,989,739
1802 . . .	15,001,391	13,176,084
1804 . . .	11,835,840	12,614,646
1805 . . .	13,689,508	13,727,124

in only one year, previous to 1805—nearly a generation after the year of independence—did the public revenue of the United States exceed the amount of annual revenue with which the Dominion of Canada starts upon its career.

cavalry and 8 separate troops; 6 field batteries of artillery; 2 battalions garrison artillery and 13 batteries; 3 naval companies; 14 battalions infantry and 157 separate companies; 4 battalions rifles and 46 separate companies—a force altogether of 19,380 men. Of the Service Militia, there have been balloted in Upper Canada 61 battalions, giving 48,496 men. The whole militia force of Upper Canada is estimated at 280,000.

In New Brunswick, the volunteer force consists of 4 troops of cavalry; 7 batteries of artillery; 1 company of engineers; and 21 companies of infantry—numbering altogether 1,791 men. The Service Militia number 35,412 men, and the "Sedentary," 7,184.

In Nova Scotia, there are 898 volunteers, and 59,379 "First Class" Militia, which includes all ranks between 16 and 45 years of age.

By the census of 1861, it appeared that the number of men capable of bearing arms in the several provinces, between the ages of 20 and 60, was:—

Upper Canada,	.	.	.	.	.	308,955
Lower Canada,	.	.	.	.	.	225,620
Nova Scotia,	.	.	.	.	.	67,367
New Brunswick,	.	.	.	.	.	51,625
Total,	.	.	.	.	.	653,567

#### EDUCATIONAL STATISTICS.

But while Canada and the maritime provinces have made prodigious strides in other respects, their educational progress also has been very great. In 1865, there were in Upper Canada 4,303 Common Schools, attended by 383,652 pupils, of whom 204,320 were boys, and 179,332 were girls. The number of children reported as not attending any school was 42,141. Of the 4,303 Common Schools 3,595 were entirely free, and in the remaining 708 the highest fee charged was 25 cents a month. The total expenditure for Common Schools, in 1865, was \$1,355,879. There were also 152 Roman Catholic Separate Schools, with an average attendance of 8,518. There were 104 Grammar Schools, with 5,754 pupils, and a Normal School, with two Model Schools attached, for the training of teachers. There were 260 private schools and academies, attended by 5,966 pupils, and deriving an income of \$50,899. Finally, Upper Canada, in 1865, had 16 colleges, attended by 1,820 students, and receiving an income from legislative and other sources of \$150,000, and a further sum of \$44,000 in fees.

The number of schools, and pupils, in Lower Canada, in 1865, was as follows :—

	Schools.	Pupils.
Primary, . . . . .	3,479	172,733
Special, . . . . .	4	265
Normal, . . . . .	3	219
Secondary, . . . . .	210	28,613
Superior, . . . . .	10	318
Total, . . . . .	3,716	202,148

The numbers given under the head of "Primary," include also the Protestant Dissident Schools, of which, in 1865, there were 146, with 4,763 pupils. The "Superior" Schools, comprise the Universities and the Schools of Theology, Law, and Medicine. The amount raised by the municipalities in Lower Canada, in 1865, for the support of Primary Schools, was \$597,448. In 1855—ten years previously—the amount was only \$249,136.

In Nova Scotia, in 1866, there were 989 Common Schools in operation, attended by 43,771 pupils. The provincial grant for Common School education was \$67,068, and the amount raised by the people for salaries, \$124,673. Besides the Common Schools, there are 5 County Academies in operation, attended by 1,200 pupils; 10 other Academies, with 680 pupils; and 7 Colleges; in five of these, which sent in returns, there were 24 professors and 207 students. The total amount voted by the Legislature of Nova Scotia for educational purposes, in 1865, was \$93,263.

In New Brunswick, in 1865, the number of teachers of public schools was 826, and the number of pupils enrolled, 29,975. The amount expended by the Government on Common and Superior Schools, for the year ending 31st October 1865, was \$91,373; and, by local districts, \$101,114. The University of New Brunswick has five professors, and an income of about \$13,000 per annum, of which the Government pays about \$9,000. The whole amount expended by the Government for education, in 1865, was \$112,940.

#### COMMERCE AND TRADE.

Shortly after the union of Upper and Lower Canada, the trade and commerce of these provinces commenced to increase. Owing, however, to the unsettled state of the country caused by the rebellion, and the absence of railway communication, their volume was not very noticeable until after 1851. The following table will give the best idea of the progress made from that year :—

	Import Duty collected.	Imports.	Exports.
1851	\$2,955,727	\$21,434,791	\$12,964,721
1852	2,956,633	20,286,493	15,307,607
1853	4,119,131	31,981,436	23,801,303
1854	4,900,769	40,529,325	23,019,190
1855	3,527,098	36,086,169	28,188,451
1856	4,510,128	43,584,387	32,047,017
1857	3,927,208	39,430,598	27,006,624
1858	3,368,157	29,078,527	23,472,609
1859	4,456,326	33,555,161	24,766,981
1860	4,756,724	34,441,621	34,631,890
1861	.	39,750,161	36,369,682
1862	.	45,980,939	33,417,128
1863	.	41,312,206	40,146,129
½ of '64 to June 30	5,660,740 *	21,406,712	13,179,342
1864-5 do.	6,142,796	39,851,991	40,792,960
1865-6 do.	7,328,146	53,802,319	56,328,380
1866-7 do.	7,023,327	59,048,987	48,486,143

The classification of the imports and exports of Canada, for the year ending 30th June 1866, stands as follows :—

## IMPORTS.

From Great Britain,	.	.	.	.	\$28,994,530
„ B. N. A. Colonies,	.	.	.	.	857,922
„ British West Indies,	.	.	.	.	105,660
„ United States,	.	.	.	.	20,424,692
„ France,	.	.	.	.	1,215,090
„ Germany,	.	.	.	.	393,810
„ Other foreign countries,	.	.	.	.	1,810,615
Total,	.	.	.	.	\$53,802,319

## EXPORTS.

To Great Britain,	.	.	.	.	\$12,981,641
„ B. N. A. Colonies,	.	.	.	.	1,571,116
„ British West Indies,	.	.	.	.	63,993
„ United States,	.	.	.	.	34,770,261
„ France,	.	.	.	.	116,332
„ Germany,	.	.	.	.	52,795
„ Other foreign countries,	.	.	.	.	700,714
Total,	.	.	.	.	\$50,256,852

\* For the twelve preceding months, *Toronto Globe*, 1st July 1867.

It is worthy of notice that the external trade of the United States, ten years after their independence was acknowledged by the mother-country, was little more than a third of the external trade of the Dominion of Canada at this moment. In 1792, the imports into the United States were \$31,500,000, and the exports \$20,750,000; together, \$52,250,000.

CLASSIFIED THUS :

Produce of the Mine,	.	.	.	.	\$422,570
„ Fisheries,	.	.	.	.	980,311
„ Forest,	.	.	.	.	13,846,986
Animals and their products,	.	.	.	.	12,682,683
Agricultural products,	.	.	.	.	16,651,074
Manufactures,	.	.	.	.	989,936
Coin and Bullion,	.	.	.	.	2,397,591
Other articles,	.	.	.	.	668,815
Vessels built at Quebec,	.	.	.	.	1,616,886
					<hr/>
Total,	.	.	.	.	\$50,256,852
Estimated amount short returned at Inland ports,	.	.	.	.	4,183,692
Goods not the produce of Canada,	.	.	.	.	1,877,836
					<hr/>
Grand Total,	.	.	.	.	\$56,328,380

In New Brunswick, the imports and exports in recent years stand thus :—

	Imports.	Exports.
1863 . .	\$7,658,462	\$4,940,781
1864 . .	8,945,352	5,053,879
1865 . .	7,086,595	5,534,726

The exports of 1865 were thus classified :—

Produce of the Mine,	.	.	.	.	\$293,744
Produce of the Fisheries,	.	.	.	.	412,127
Produce of the Forest,	.	.	.	.	3,643,522
Animals and their products,	.	.	.	.	72,651
Products of Agriculture,	.	.	.	.	103,610
Manufactures,	.	.	.	.	50,675
Other articles,	.	.	.	.	958,397
Ships,	.	.	.	.	1,257,900
					<hr/>
Total,	.	.	.	.	\$6,792,626

The cause of the discrepancy between the sum of these figures, and the amount of exports given in the previous table, is that the value of the ships sold in England has never been included in the official export tables.

In the province of Nova Scotia, the imports and exports for the four years ending 1866 were as follows :—

	Imports.	Exports.
1863 . .	\$10,201,391	\$6,546,488
1864 . .	12,604,642	7,172,817
1865 . .	14,381,662	8,830,693
1866 . .	14,381,008	8,043,095

The principal exports in 1865 were :—

Fish,	.	.	.	.	.	\$3,282,016
Fish oil,	.	.	.	.	.	194,505
Coal,	.	.	.	.	.	1,253,650
Lumber,	.	.	.	.	.	776,034
Sugar,	.	.	.	.	.	588,753
Molasses,	.	.	.	.	.	380,600
Horned cattle,	.	.	.	.	.	201,948
Butter and lard,	.	.	.	.	.	114,133

From the foregoing statistics, it will be seen that the total annual volume of the external trade may be summed up as annexed :—

	Imports.	Exports.
Canada,	\$53,802,319	\$56,328,380
Nova Scotia,	14,381,662	8,830,693
New Brunswick,	7,086,595	6,792,626
Total	\$75,270,576	\$71,951,699

Thus the whole external trade of the dominion of Canada, in one year, reached the large sum of \$147,222,275, which, calculating the dollar at 4s. 2d., amounts to £31,898,159 sterling.

#### SOCIAL CONDITION, &c.

But, aside from the facts supplied by the foregoing statistical tables, there are many interesting and suggestive features in the progress of Canada to be noticed. Now that the Seigniorial Tenure system has been finally abolished, every semblance of a landed aristocracy, even in the ancient province of Quebec, has ceased, and the *Habitant* farmer has become the owner, in the fullest sense, of the soil he cultivates. But he is still a most primitive being in many respects. Isolated by his language, his national prejudices, and his religion, he has remained in an almost stationary condition in the midst of universal progress; and the picture of him sketched by the pen of his witty countryman, De Rochefoucault, at the commencement of this century, would not be wholly inapplicable at the present day. The priest is still the dominant power with him, he willingly continues to pay him tithes and reverence, at one and the same time, and in every direction the huge church towers above all surrounding objects, giving evidence of the wealth and influence of the clerical order. The bulk of the Lower Canadians may still be regarded as a simple pastoral people, and whose slender progress is completely overshadowed by that of their Anglo-Saxon neighbours. Quebec, which may now be termed a French city, is actually retrograding in population and wealth, despite her favourable situation



for trade, while Montreal, on the other hand, is rapidly expanding into a commercial capital of noble proportions and superb architectural embellishment.

..... The original settlement of Ontario was effected under entirely different circumstances from that of the province of Quebec. No seignior has ever been acknowledged within its borders, and at the present moment there is no lord of the manor in the whole of its wide expanse, and no landlords unless on a very limited scale. The agricultural community, as a rule, own the soil in fee simple, and which is only liable to a small annual tax for municipal purposes, averaging about seven shillings per annum for every hundred pounds of actual real property owned, while in towns and cities taxes rate at from twice to four times that amount. The people are essentially self-governed. The county magistrate is usually an intelligent farmer, or a village shopkeeper. The municipal or township councillors, who impose the taxes and control county matters, are drawn from the same classes, and which likewise constitute the bulk of the grand jurors at the semi-annual courts of assize. Ability in the first place, and wealth in the second, are the only grounds of admitted superiority; and even these must be asserted with tact to be recognised in a community, where the lines of demarcation between classes are very faintly drawn. The most elevated in condition cannot afford to disregard a neighbour, however humble, and finds that an affable demeanour and courteous manners are indispensably necessary to a comfortable intercourse with the community in which he resides. Abundance of employment and well-paid labour, raises even the ordinary working man, if he is at all industrious, above the accidents of want, and imparts to him a feeling of genuine independence. As a necessary consequence of this state of things, serious crime is very rare in the rural districts, and a few rustic constables suffice to preserve order, while assize courts are frequently held at county towns, representing an adjoining population of from fifty to eighty thousand souls, at which the criminal calendar does not contain half a dozen names. At the same time Canada has neither poor laws nor poor-houses.

But despite the social equality which prevails in Canada, and which permits of only a very slight distinction between the various classes of the community, its people are no lovers of extreme democracy, and are not by any means republican in principle. They level down to themselves, but no further. Scarcely a man can be found who will advocate the exercise of the elective franchise without a property or rental qualification; and almost the whole community, whatever may

be their party designations, are essentially Conservative in their opinions and feelings, and opposed to violent organic changes of any description. The majority of the agricultural population of Ontario may be regarded as a body of small gentlemen farmers, who possess comfortable homes, eat and drink the fat of the land, dress well, and ride to church and market in handsome spring waggons and carriages ; but who, at the same time, owing to the high value of labour, are obliged to aid in working their own estates. The progress of this class during the last twenty years, in acquiring all the solid comforts, and not a few even of the luxuries of life, has been very great. Agricultural labour-saving machines have materially lightened their toil, and enabled them to devote more time to the improvements of their farms and their houses. A vast amount, however, yet remains to be accomplished in this direction, before the rude bush-farming of the old backwoods' generation is entirely abandoned for the more scientific and profitable systems, now becoming an absolute necessity in this country.

But, if the progress of the Canadian farmer, in material prosperity, has been very great, the manufacturing development of the country has been still more rapid. Montreal has numerous manufactories of hardware, rubber goods, and many other staple articles, and the woollen mills of Ontario, which abound in every direction, make the finest class of tweeds, blankets, and other fabrics of a like description, admirably adapted to the home market, as well as for export. Hardware manufactures are also very numerous in that province, and produce excellent scythes, forks, spades, axles, carriage springs, locks, and a host of other articles in the same line, which a few years ago were almost entirely imported from the United States, and whither the very goods formerly purchased there are, in many instances, now exported. In addition to the manufactories already noticed, a large number of other descriptions have sprung into existence of late years, all over the western country, and which, as a rule, are unable to fill the orders which crowd upon them. Water power, which a short time since rushed boisterously to waste, in the sombre shade of the primeval forest, has been utilised in every direction, and the busy hum of machinery is now heard where once the dull roar of the cataract alone reverberated through the woodland.

The figures we have supplied elsewhere, show that the commerce of Canada has fully kept pace with its industrial progress. Regular lines of weekly steamers now connect it with the great ports of Liverpool and Glasgow, and the sailing vessels of every great com-

mercial country of the old and new worlds traverse the waters of the St Lawrence. The mercantile mind of Canada is exceedingly active and intelligent, and vigorously lays hold of every branch of trade which promises remuneration for enterprise and capital. Every town has its thorough men of business, and a vast wholesale trade is transacted in its larger centres of commerce. Toronto, which fifty years ago was only a dull village, humorously styled muddy Little York, can now point to its fifty thousand inhabitants as a proof of its progress; while Montreal, the commercial capital of Canada, with over one hundred and thirty thousand residents, is fast becoming a city of the most stately proportions, the warehouses of which are being reconstructed in a style of architectural grandeur, unequalled on this continent, and unsurpassed in Europe—an evidence at once of refined taste and of great wealth. The loss of reciprocity has very little, if indeed at all, disturbed the current of Canadian progress, while it has largely stimulated the energy and enterprise of its people, and led them to become competitors of the merchants of the United States, where hitherto they had been customers. The flour trade of the Lower Provinces has been grasped by Canadian shippers of produce, and American exporters already feel their competition in the West India markets, a commerce which must speedily deepen in volume. Thus we see that in agriculture, in popular education, in manufactures, in commerce, a solid basis of national prosperity has already been laid; and although, for a brief space, the dissatisfaction of Nova Scotia may cause some slight difficulty, the morning star of the New Dominion arises on its horizon full of promise, and with the presage of a still brighter meridian.

#### CONSTITUTION OF THE DOMINION OF CANADA.

The Act of Union, or as it is legally styled, "The British North American Act, 1867," provides that the dominion of Canada shall be divided into four provinces, viz., Ontario, formerly Upper Canada, Quebec, formerly Lower Canada, Nova Scotia, and New Brunswick; the existing limits of each to remain undisturbed. The executive government is vested in the Queen, her representative being the Governor-General, (whose salary is fixed at £10,000 sterling, payable by Canada,) or other chief executive officer for the time being. Section 11 of the Act constitutes a Queen's Privy Council for Canada, to be chosen by the Governor-General and removable at his pleasure, to aid and advise in the government of the country. Her Majesty has the command in chief of all military and naval forces, and the power to remove the seat of government from Ottawa. The general

or Federal Parliament of Canada consists of the Queen and Upper House, styled the Senate, and the House of Commons. The Senate is composed of seventy-two members, named in the Queen's proclamation, styled senators: twenty-four from Ontario, twenty-four from Quebec, twelve from Nova Scotia, and twelve from New Brunswick. Senators are chosen by the Crown for life, are to be subjects of her Majesty, and to have a property qualification of \$4000 above all debts and liabilities. The senator must also be a resident of the province for which he is appointed. Six additional persons may be added to the Senate by the Queen, but its whole number is not to exceed seventy-eight at any time. The Speaker of the Senate is appointed by the Crown.

The House of Commons consists of one hundred and eighty-one members: eighty-two from Ontario, sixty-five from Quebec, nineteen from Nova Scotia, and fifteen from New Brunswick. The duration of the House of Commons is fixed for five years, unless sooner dissolved by the Governor-General. Quebec is always to return at least sixty-five members, and should the ratio of increase be greater in the other provinces, as developed by the census to be taken every ten years, their parliamentary representation is to be proportionately increased. The Parliament of Canada may increase the representation in the House of Commons, but only in the proportion fixed by the act. The qualification of its members is £500 sterling.

#### PROVINCIAL CONSTITUTIONS.

For each province the Governor-General appoints a Lieutenant-Governor, to hold office for five years. He is empowered to summon an Executive Council, consisting of the members of his government. The Legislature of Ontario consists of the Lieutenant-Governor and of one Chamber only, styled the Legislative Assembly, and which is composed of eighty-two members elected for four years. Property qualification the same as for the House of Commons. The Legislature of Quebec consists of the Lieutenant-Governor and of two Houses, styled, respectively, the Legislative Council, and the Legislative Assembly. The Legislative Council is composed of twenty-four members appointed by the Crown for life, and who must have a property qualification of the same value as that of senators. The Legislative Assembly of Quebec is composed of sixty-five members, elected for four years; property qualification same as for the House of Commons.

The Constitutions of the province of Nova Scotia and New Bruns-

wick remain as at the passing of the Union Act, until altered under its authority.

In order to enable the reader to understand more clearly the power accorded by the Union Act to the general or Federal Parliament, and to the local Legislatures, we annex the applying clauses of that act in full :—

#### DISTRIBUTION OF LEGISLATIVE POWERS.

##### POWERS OF THE GENERAL PARLIAMENT.

91. It shall be lawful for the Queen, by and with the advice and consent of the Senate and House of Commons, to make laws for the peace, order, and good government of Canada, in relation to all matters not coming within the classes of subjects by this act assigned exclusively to the Legislatures of the provinces; and for greater certainty, but not so as to restrict the generality of the foregoing terms of this section, it is hereby declared that (notwithstanding anything in this act) the exclusive legislative authority of the Parliament of Canada extends to all matters coming within the classes of subjects next hereinafter enumerated; that is to say :—

- (1.) The public debt and property.
- (2.) The regulation of trade and commerce.
- (3.) The raising of money by any mode or system of taxation.
- (4.) The borrowing of money on the public credit.
- (5.) Postal service.
- (6.) The census and statistics.
- (7.) Militia, military, and naval service, and defence.
- (8.) The fixing of and providing for the salaries and allowances of civil and other officers of the Government of Canada.
- (9.) Beacons, buoys, lighthouses, and Sable Island.
- (10.) Navigation and shipping.
- (11.) Quarantine and the establishment and maintenance of marine hospitals.
- (12.) Sea-coast and inland fisheries.
- (13.) Ferries between a province and any British or foreign country, or between two provinces.
- (14.) Currency and coinage.
- (15.) Banking, incorporation of banks, and the issue of paper money.
- (16.) Savings' banks.
- (17.) Weights and measures.
- (18.) Bills of exchange and promissory notes.
- (19.) Interest.
- (20.) Legal tender.
- (21.) Bankruptcy and insolvency.
- (22.) Patents of invention and discovery.
- (23.) Copyrights.
- (24.) Indians, and lands reserved for the Indians.
- (25.) Naturalisation and aliens.
- (26.) Marriage and divorce.
- (27.) The criminal law, except the constitution of courts of criminal jurisdiction, but including the procedure in criminal matters.
- (28.) The establishment, maintenance, and management of penitentiaries.

(29.) Such classes of subjects as are expressly excepted in the enumeration of the classes of subjects by this act assigned exclusively to the Legislatures of the provinces.

And any matter coming within any of the classes of subjects enumerated in this section shall not be deemed to come within the class of matters of a local or private nature comprised in the enumeration of the classes of subjects by this act assigned exclusively to the Legislatures of the provinces.

#### EXCLUSIVE POWERS OF PROVINCIAL OR LOCAL LEGISLATURES.

92. In each province the Legislature may exclusively make laws in relation to matters coming within the classes of subjects next hereinafter enumerated, that is to say :—

(1.) The amendment from time to time, notwithstanding anything in this act, of the Constitution of the province, except as regards the office of Lieutenant-Governor.

(2.) Direct taxation within the province in order to the raising of a revenue for provincial purposes.

(3.) The borrowing of money on the sole credit of the province.

(4.) The establishment and tenure of provincial offices, and the appointment and payment of provincial officers.

(5.) The management and sale of the public lands belonging to the province, and of the timber and wood thereon.

(6.) The establishment, maintenance, and management of public and reformatory prisons in and for the province.

(7.) The establishment, maintenance, and management of hospitals, asylums, charities, and eleemosynary institutions in and for the province, other than marine hospitals.

(8.) Municipal institutions in the province.

(9.) Shop, saloon, tavern, auctioneer, and other licences, in order to the raising of a revenue for provincial, local, or municipal purposes.

(10.) Local works and undertakings other than such as are of the following classes,—

*a.* Lines of steam or other ships, railways, canals, telegraphs, and other works and undertakings connecting the province with any other or others of the provinces, or extending beyond the limits of the province.

*b.* Lines of steam-ships between the province and any British or foreign country.

*c.* Such works as, although wholly situate within the province, are before or after their execution declared by the Parliament of Canada to be for the general advantage of Canada, or for the advantage of two or more of the provinces.

(11.) The incorporation of companies with provincial objects.

(12.) The solemnisation of marriage in the province.

(13.) Property and civil rights in the province.

(14.) The administration of justice in the province, including the constitution, maintenance, and organisation of provincial courts, both of civil and of criminal jurisdiction, and including procedure in civil matters in those courts.

(15.) The imposition of punishment by fine, penalty, or imprisonment for enforcing any law of the province made in relation to any matter coming within any of the classes of subjects enumerated in this section.

(16.) Generally all matters of a merely local or private nature in the province.

## EDUCATION.

93. In and for each province the Legislature may exclusively make laws in relation to education, subject and according to the following provisions:—

(1.) Nothing in any such law shall prejudicially affect any right or privilege with respect to denominational schools which any class of persons have by law in the province at the Union.

(2.) All the powers, privileges, and duties at the Union by law conferred and imposed in Upper Canada on the separate schools and school trustees of the Queen's Roman Catholic subjects shall be and the same are hereby extended to the dissentient schools of the Queen's Protestant and Roman Catholic subjects in Quebec.

(3.) Where in any province a system of separate or dissentient schools exists by law at the Union, or is thereafter established by the Legislature of the province, an appeal shall lie to the Governor-General in Council from any act or decision of any provincial authority affecting any right or privilege of the Protestant or Roman Catholic minority of the Queen's subjects in relation to education.

(4.) In case any such provincial law as from time to time seems to the Governor-General in Council requisite for the due execution of the provisions of this section is not made, or in case any decision of the Governor-General in Council on any appeal under this section is not duly executed by the proper provincial authority in that behalf, then and in every such case, and as far only as the circumstances of each case require, the Parliament of Canada may make remedial laws for the due execution of the provisions of this section, and of any decision of the Governor-General in Council under this section.

## UNIFORMITY OF LAWS IN ONTARIO, NOVA SCOTIA, AND NEW BRUNSWICK.

94. Notwithstanding anything in this act, the Parliament of Canada may make provision for the uniformity of all or any of the laws relative to property and civil rights in Ontario, Nova Scotia, and New Brunswick, and of the procedure of all or any of the courts in those three provinces, and from and after the passing of any act in that behalf, the power of the Parliament of Canada to make laws in relation to any matter comprised in any such act shall, notwithstanding anything in this act, be unrestricted; but any act of the Parliament of Canada making provision for such uniformity shall not have effect in any province unless and until it is adopted and enacted as law by the Legislature thereof.

## AGRICULTURE AND IMMIGRATION.

95. In each province the Legislature may make laws in relation to agriculture in the province, and to immigration into the province; and it is hereby declared that the Parliament of Canada may from time to time make laws in relation to agriculture in all or in any of the provinces, and to immigration into all or any of the provinces; and any law of the Legislature of a province relative to agriculture, or to immigration, shall have effect in and for the province as long and as far only as it is not repugnant to any act of the Parliament of Canada.

## JUDICATURE.

96. The Governor-General shall appoint the judges of the Superior, District,

and County Courts in each province, except those of the Courts of Probate in Nova Scotia and New Brunswick.

97. Until the laws relative to property and civil rights in Ontario, Nova Scotia, and New Brunswick, and the procedure of the courts in those provinces, are made uniform, the judges of the courts of those provinces appointed by the Governor-General shall be selected from the respective bars of those provinces.

98. The judges of the Courts of Quebec shall be selected from the bar of that province.

99. The judges of the Superior Courts shall hold office during good behaviour, but shall be removable by the Governor-General on address of the Senate and House of Commons.

100. The salaries, allowances, and pensions of the judges of the Superior, District, and County Courts, (except the Courts of Probate in Nova Scotia and New Brunswick,) and of the Admiralty Courts in cases where the judges thereof are for the time being paid by salary, shall be fixed and provided by the Parliament of Canada.

101. The Parliament of Canada may, notwithstanding anything in this act, from time to time, provide for the constitution, maintenance, and organisation of a general Court of Appeal for Canada, and for the establishment of any additional courts for the better administration of the laws of Canada.

#### REVENUES—DEBTS—ASSETS—TAXATION.

102. All duties and revenues over which the respective Legislatures of Canada, Nova Scotia, and New Brunswick before and at the Union had and have power of appropriation, except such portions thereof as are by this act reserved to the respective Legislatures of the provinces, or are raised by them in accordance with the special powers conferred upon them by this act, shall form one consolidated revenue fund, to be appropriated for the public service of Canada in the manner and subject to the charges in this act provided.

103. The consolidated revenue fund of Canada shall be permanently charged with the costs, charges, and expenses incident to the collection, management, and receipt thereof, and the same shall form the first charge thereon, subject to be reviewed and audited in such manner as shall be ordered by the Governor-General in Council until the Parliament otherwise provides.

104. The annual interest of the public debts of the several provinces of Canada, Nova Scotia, and New Brunswick at the Union shall form the second charge on the consolidated revenue fund of Canada.

105. Unless altered by the Parliament of Canada, the salary of the Governor-General shall be £10,000 sterling money of the United Kingdom of Great Britain and Ireland, payable out of the consolidated revenue fund of Canada, and the same shall form the third charge thereon.

106. Subject to the several payments by this act charged on the consolidated revenue fund of Canada, the same shall be appropriated by the Parliament of Canada for the public service.

107. All stocks, cash, bankers' balances, and securities for money belonging to each province at the time of the Union, except as in this act mentioned, shall be the property of Canada, and shall be taken in reduction of the amount of the respective debts of the provinces at the Union.

108. The public works and property of each province, enumerated in the third schedule to this act, shall be the property of Canada.



109. All lands, mines, minerals, and royalties belonging to the several provinces of Canada, Nova Scotia, and New Brunswick at the Union, and all sums then due or payable for such lands, mines, minerals, or royalties, shall belong to the several provinces of Ontario, Quebec, Nova Scotia, and New Brunswick, in which the same are situate or arise, subject to any trusts existing in respect thereof, and to any interest other than that of the province in the same.

110. All assets connected with such portions of the public debt of each province as are assumed by that province shall belong to that province.

111. Canada shall be liable for the debts and liabilities of each province existing at the Union.

112. Ontario and Quebec conjointly shall be liable to Canada for the amount (if any) by which the debt of the province of Canada exceeds at the Union \$62,500,000, and shall be charged with interest at the rate of five per centum per annum thereon.

113. The assets enumerated in the fourth schedule to this act belonging at the Union to the province of Canada shall be the property of Ontario and Quebec conjointly.

114. Nova Scotia shall be liable to Canada for the amount (if any) by which its public debt exceeds at the Union \$8,000,000, and shall be charged with interest at the rate of five per centum per annum thereon.

115. New Brunswick shall be liable to Canada for the amount (if any) by which its public debt exceeds at the Union \$7,000,000, and shall be charged with interest at the rate of five per centum per annum thereon.

116. In case the public debts of Nova Scotia and New Brunswick do not at the Union amount to \$8,000,000 and \$7,000,000 respectively, they shall respectively receive by half-yearly payments in advance from the Government of Canada interest at five per centum per annum on the difference between the actual amounts of their respective debts and such stipulated amounts.

117. The several provinces shall retain all their respective public property not otherwise disposed of in this act, subject to the right of Canada to assume any lands or public property required for fortifications or for the defence of the country.

118. The following sums shall be paid yearly by Canada to the several provinces for the support of their Governments and Legislatures :—

Ontario,	.	.	.	.	.	.	\$80,000
Quebec, .	.	.	.	.	.	.	70,000
Nova Scotia,	.	.	.	.	.	.	60,000
New Brunswick, .	.	.	.	.	.	.	50,000
							<hr/>
							\$260,000

and an annual grant in aid of each province shall be made, equal to 80 cents per head of the population as ascertained by the census of 1861, and in the case of Nova Scotia and New Brunswick, by each subsequent decennial census until the population of each of those two provinces amounts to 400,000 souls, at which rate such grant shall thereafter remain. Such grants shall be in full settlement of all future demand on Canada, and shall be paid half-yearly in advance to each province; but the Government of Canada shall deduct from such grants, as against any province, all sums chargeable as interest on the public debt of that province in excess of the several amounts stipulated in this act.

119. New Brunswick shall receive by half-yearly payments in advance from

Canada for the period of ten years from the Union an additional allowance of \$63,000 per annum; but as long as the public debt of that province remains under \$7,000,000, a deduction equal to the interest at five per centum per annum on such deficiency shall be made from that allowance of \$63,000.

120. All payments to be made under this act, or in discharge of liabilities created under any act of the provinces of Canada, Nova Scotia, and New Brunswick respectively, and assumed by Canada, shall, until the Parliament of Canada otherwise directs, be made in such form and manner as may from time to time be ordered by the Governor-General in Council.

121. All articles of the growth, produce, or manufacture of any one of the provinces shall, from and after the Union, be admitted free into each of the other provinces.

122. The customs and excise laws of each province shall, subject to the provisions of this act, continue in force until altered by the Parliament of Canada.

123. Where customs duties are, at the Union, leviable on any goods, wares, or merchandises in any two provinces, those goods, wares, and merchandises may, from and after the Union, be imported from one of those provinces into the other of them on proof of payment of the customs duty leviable thereon in the province of exportation, and on payment of such further amount (if any) of customs duty as is leviable thereon in the province of importation.

124. Nothing in this act shall affect the right of New Brunswick to levy the lumber dues provided in chapter fifteen of title three of the revised statutes of New Brunswick, or in any act amending that act before or after the Union, and not increasing the amount of such dues; but the lumber of any of the provinces other than New Brunswick shall not be subject to such dues.

125. No lands or property belonging to Canada or any province shall be liable to taxation.

126. Such portions of the duties and revenues over which the respective Legislatures of Canada, Nova Scotia, and New Brunswick had before the Union power of appropriation as are by this act reserved to the respective Governments or Legislatures of the provinces, and all duties and revenues raised by them in accordance with the special powers conferred upon them by this act, shall in each province form one consolidated revenue fund to be appropriated for the public service of the province.

#### ADMISSION OF OTHER COLONIES.

146. It shall be lawful for the Queen, by and with the advice of her Majesty's most honourable Privy Council, on addresses from the Houses of the Parliament of Canada, and from the Houses of the respective Legislatures of the colonies or provinces of Newfoundland, Prince Edward Island, and British Columbia, to admit those colonies or provinces, or any of them, into the Union, and on addresses from the Houses of the Parliament of Canada to admit Rupert's Land and the north-western territory, or either of them, into the Union, on such terms and conditions in each case as are in the addresses expressed, and as the Queen thinks fit to approve, subject to the provisions of this act; and the provisions of any order in council in that behalf shall have effect as if they had been enacted by the Parliament of the United Kingdom of Great Britain and Ireland.

147. In case of the admission of Newfoundland and Prince Edward Island, or either of them, each shall be entitled to a representation in the Senate of Canada of four members; and, notwithstanding anything in this act, in case of the admis-

sion of Newfoundland, the normal number of senators shall be seventy-six, and their maximum number shall be eighty-two; but Prince Edward Island, when admitted, shall be deemed to be comprised in the third of the three divisions into which Canada is, in relation to the constitution of the Senate, divided by this act, and accordingly, after the admission of Prince Edward Island, whether Newfoundland is admitted or not, the representation of Nova Scotia and New Brunswick in the Senate shall, as vacancies occur, be reduced from twelve to ten members respectively, and the representation of each of those provinces shall not be increased at any time beyond ten, except under the provisions of this act for the appointment of three or six additional senators under the direction of the Queen.

THE END.















